AN ASSERTION OF The Government of the Church OF SCOTLAND, IN

The points of Ruling-Elders, and of the Authority of Presbyteries and Synods.

With a Poſtſcript in anſwer to a Treatiſe lately publiſhed againſt Presbyteriall Government.

Geſta Purgat. Cæcil. & felic.

Adhibete Conclericos & Seniores plebis Eccleſiaſticos viros, & inquirant diligenter quæ ſint iſtæ diſſenſiones.

Auguſt. epiſt. 118.

Quorum (conciliorum) eſt in Eccleſia ſaluberrima authoritas.

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TO THE READER.

IT is high time for thoſe who have been long praying for the peace of *Hieruſalem*, and with bleeding hearts have beheld the ſorrowes of *Sion*, now to betitre themſelves with an extraordinary diligence, and to contribute their moſt ſerious and unceſſant endeavours, for the ſetling of theſe preſent commotions about Church affairs, in ſuch a manner, that the ſacred twins, *Truth* and *Peace*, may both cohabit under own roofe; and that this great and good work of Reformation may not be blaſted in the bud, nor fade in the flouriſh, but may be brought forward to that full maturity, which ſhall afford a harveſt of joy to us, and to all the Churches of God.

One controverſie there is about the government of the Church, and it is of ſuch conſequence, that were it well reſolved upon, and rightly agreed, it ſhould facilitate a right reſolution in other matters which are in queſtion. Now becauſe *longum iter per præcepta, breve per exempla*; *the way is long by precepts, ſhort by platforms*; therefore I have carefully obſerved the policie and government of other reformed Churches. And becauſe the nearneſſe of relation ſwayeth my affection at leaſt half a thought more unto that which is *Scotlands* (*cæteris paribus*) then unto that which is more remote from us, therfore I was moſt ſolicitous to ſee a delineation of the government of that famouſly reformed neighbor Church, wch when I had read, & read over again, I did conclude with my ſelf, that if theſe two points at which moſt exception is taken, I mean the office of ruling Elders, and the authoritie of Presbyters and Synodes, which alſo are things common to the other

reformed Churches) could be upon good grounds maintained, there is no other thing of any moment to be objected against it.

And with these thoughts I was so tossed, that I could not rest satisfied with the *Quum* without the *Quare*, but did conceive as great languor and desire for a *demonstration* of that form of Church-government, as before I had for a *declaration* of the same. Whereupon I have purchased to my self from *Scotland* this ensuing Treatise which having fully satisfied my owne minde in the asserting of those most controverted points, I have resolved to communicate and publish the same unto others, for the reasons following.

First, for the satisfaction of such as do through ignorance or mistaking stumble at such a form of Ecclesiasticall government: I do not much marvell to see those that are of a simple understanding, so far conquered, as to scruple the office of ruling Elders, having heard the big words and lavish expressions of some opposites against the same; yet a poor peece it is which one of them would usher in with a tinckling Epistle, in which

Bishop Hall his assertion of Episcopacie by Divine right.

Projicit ampullas & sesquipedalia verba.

He maketh offer to forfeit his life to justice, and his reputation to shame; if any living man can shew that ever there was a ruling Elder in the Christian world, till *Farell*, and *Viret* first created them. I shall not desire to take him at his word for his life, but if he be not able to give a satisfactory answer unto that which is here sayd both from Scripture, and from antiquity for ruling Elders, then hath he given sentence against his own reputation for ever. And so much the more, that having in that assertion of Episcopacie boldly averred, that the name of the Elders of the Church, in all antiquity comprehendeth none but Preachers and Divines; and that therfore none but they may be called *Seniores Ecclesiæ*, though some others happily may have the title of *Seniores populi*, because

pag. 208. 209. 221.

becauſe of their civill authority; notwithſtanding the reading of the obſervations of *Juſtellus*, and of both the *Caſſiodores*; hath now ſo farre changed his tone, that in his late anſwer to *Smectymnuus*, he acknowledgeth that beſide Paſtors and Doctors, and beſide the Magiſtrates or Elders of the Cities, there are to be found in antiquity, *Seniores Eccleſiaſtici*, Eccleſiaſticall Elders alſo; only he alleadgeth they were but as our Church-wardens, or rather as our Veſtry-men: whereas indeed they were Judges in Eccleſiaſticall controverſies, and (in ſome ſort) inſtructors of the people, as ſhall be made to appeare. Meane while we do obſerve what truſt is to be given to this bold Speaker, who hath beene forced to yeeld, what he had before with high ſwelling words denied. Pag. 146.

Another Inſtance of the ſame kinde is to be noted in his Remonſtrance, when he ſpeaketh of the preſcript forms of prayer, which the Jewiſh Church had ever from the dayes of *Moſes*, wherewith alſo *Peter*, and *John* when they went up into the Temple at the ninth hour of Prayer; did joyn to make good his allegiance, he addeth, *the forms whereof are yet extant and ready to be produced.* Yet this he handſomely eateth up in his defence; where he gives us to underſtand, that thoſe ſet forms of prayer are indeed ſpecified by *Capellus*, a writer of our owne Age; but that the book it ſelfe which contained theſe prayers, is periſhed a thouſand years ago. Well, he is now content to ſay that once thoſe forms were extant; and this (forſooth) he will prove from a certain Samaritan Chronicle in the cuſtodie of his faithfull friend the Primate of *Armach*; wherein he hath found a ſtory which tranſporteth him as much as the invention of the demonſtration did *Archimedes*, when he cried ἑύρηκα, ἑύρηκα, *I have found it, I have found it.* Yet——*credat Judæus apella, Non ego*——But this lyeth not now in my way. Only (till a full anſwer be ready, I thought it not amiſſe to give ſome taſte of the mans vaine arrogant humour, whoſe beſt Pag. 11. Pag. 17. 18.

weapons are great words. As for his last record which he fetcheth from *Abrahamus Scultetus*, against ruling Elders; all that and much more hath been, and here shall be abundantly confuted.

Others there be who call in question the power and authority of Ecclesiastical Presbyteries, and of Synods, against which also some few Pens have been put to paper and have passed a censure no lesse hard then unseasonable, which (me thinks) might well have been spared, unlesse there had been stronger and more convincing reasons for it. These I shall beseech, that with minds voyd of prejudice, they take into consideration the second part of this Treatise, written with no heat nor sharpnesse of words, but with plainnesse, and strength of reason: And withall I shall expect that they will not think the worse of the Author, for being ready to answer him that asketh a reason of him, or for writing a justification of the government of the Church of *Scotland*, to such as did desire to be more throughly resolved concerning the same; but that rather they will make use hereof, as a key by divine Providence put into their hands, to open a doore unto further light.

Secondly, there is so much the more reason for asserting those two points, by how much they have beene mainly opposed by Sathan; for he it was whose cunning conveyance of old, made the office of ruling Elders to come into desuetude, through the sloth, or rather the pride of the Teachers, as *Ambrose* complaineth; and yet time hath not so obliterate that ancient order, but that the footsteps of the same are yet to be seen in our Officialls, Chancellors, Commissaries, Church-wardens, and High-Commission-men, yea at *Rome* it selfe, in the Cardinalls. The same old Serpent is he whose instigation made *Licinius* whilst he did intend the totall ruine of the Church, to fall upon this as the most effectuall means for his purpose, that he should, straightly inhibit all counsells, meetings,

In 1 Tim. 5.

and

and conferencies concerning the affairs of the Church. By which meanes the Christians of his time were drawne into one of two snares. *Aut enim degere, &c.* for saith *Eusebius*, either it behoved us to be obnoxious to punishment by violating the Law, or to overthrow the Rites and Ordinances of the Church, by giving obedience in that which the Law did command: for great and weighty deliberations undertaken about things controverted, cannot proceed in any other manner or way, but by the right managing of Councels. The *Arminians* in the *Netherlands*, found out another of Sathans wiles; they were not able to hinder the assembling of a free and lawfull Synod, but for their next best, they required of the Synod of *Dort* twelve conditions, and the ninth was; that there should not be in that Synod any determination or decree concerning the matters in controversie, but only an accommodation or conference, and that still it should be free to the particular Churches, to accept, or to reject the judgement of the Synod: this was a way of endlesse controversie, and justly cried down in the Synod.

De vita Const. lib. 1. cap. 44.

Vide acta Syn. Dord. Sess. 25.

Moreover, Satan ever wise in his own principles, finding the Church of *Scotland* like an invincible *Sampson*, by reason of such a constitution and government, as being preserved in integritie, could neither admit heresie, nor schisme, did make use of the Prelacie as his traitorous *Dalilah*, to betray that *Sampson*, into the hands of the now adverse *Philistines* the Papists, by stealing away both their ruling Elders, and the authority of their Presbyteries, and Synodes: for he had well observed, that in these two things did their great strength lye, and that without these two, the Ministers of the Word being like so many *scopæ dissolutæ*, both sparsed, and by themselves alone might easily be brought under the yoke. When thus the Romish-affected *Dalilah* had taken away their strength from them, she was bold to utter her insulting voice in the Service-book, and book of Canons, The *Philistines* be upon thee

thee *Sampſon*, The Papiſts be upon thee *Scotland*. In this caſe they did not (as *Sampſon* then) preſume that the Lord was with them as at other times; they knew he was de-
Pſal. 80 14.15. parted from them: They cried out, *Return we beſeech thee O God of Hoſts, look down from Heaven, behold and viſit this Vine, and the Vineyeard which thine own right hand hath*
Ier. 50.5. *planted.* They did again *aſk the way to Sion with their faces thitherward, ſaying come, and let us joyn our ſelves to the Lord in a perpetuall Covenant that ſhall not be forgotten.* And now (glory be to the great Name of God, in the Church throughout all generations) they have by his healing
whittak. contr. 3. hand quickly recovered their ſtrength. Strength I may
de concil. queſt 1. well call it, for ſayth a learned Divine, as in things which are done by bodily ſtrength, ſo in things which are managed by counſells, *vis unita fortior*, power being put together is the ſtronger: and in this he doth agree with *Bellarm.*; that though God by his abſolute power can preſerve his Church without Synods; yet according to ordinary providence, they are neceſſary for the right government of the Church. The interweaving and combining of ſtrength, by joyning the ruling Elders of every Congregation, with the Paſtor, or Paſtors thereof into a particular Eldership, by joyning alſo Commiſſioners, Paſtors, and Elders, from many particular Elderſhips, ordinarily into a claſſicall Presbytery, and more ſolemnly provinciall Synod. Finally, by joyning Commiſſioners, Paſtors, and Elders from many claſſicall PPresbyteries, into a Nationall Aſſembly; this doth indeed make a Church
Cant. 6. 4. *beautifull as Tirza, comely as Jeruſalem, terrible as an Armie with Banners.*

It is not to be expected, but this forme of Church government, ſhall ſtill be diſliked by ſome (whoſe diſlike ſhall notwithſtanding the more commend it to all pious minds) I mean by prophane men, who eſcape not without cenſure under Presbyteries, and Synods, as they did under the Prelacie; by hereticks, who cannot finde favour

vour with a Nationall Synod of many learned and godly men, as they did with a few Popish Prelats: by Matchavellians also, who do foresee that Presbyteriall Synodicall governmente, being conformed not to the Lesbian rule of humane authority, but to the inflexible rule of Divine Institution, will not admit of any Innovations in Religion, be they never so conduceable to politicall intentions. Psal. 64. 3.

Some there be *who whet their tongue like a sword, and bend their bowes to shoot their arrows, even bitter words.* They would wound both the office of ruling Elders, and the authority of Presbyteries and Synods, with this hatefull imputation, that they are inconsistent with the honor and Prerogative of Princes. Sure I am, when our Saviour saith, *Render unto Cæsar the things which are Cæsars, and unto God the things which are Gods*; he doth plainly insinuate, that the things which are Gods, need not to hinder the things which are Cæsars. And why shall it be forgotten, that the Prelates did assume to themselves all that power of determining controverses; making Canons, ordaining, suspending, deposing, and excommunicating, which now Presbyteries and Synods do claime as theirs by right. To me it appeareth a grand mistery, and worthy of deliberation in the wise Consistory of *Rome*: That the power of Presbyteries and Synods being meerly Ecclesiasticall, being rightly used, and nothing incroaching upon the civill power, is notwithstanding an intollerable prejudice to Kings and Princes. But the very same power in Prelates, though both abused, and mixed with civill power, is not (for all that) prejudiciall to Soveraignty. Matth. 22. 21.

Yet if the fear of God cannot molifie the tongues of these men, one would think that they should be brideled with respect to the Kings most excellent Majestie, who hath been graciously pleased to approve and ratifie the present government of the Church of *Scotland*, perceiving (I

truſt) that Gods honour, and his honour, Gods Lawes, and his Lawes may well ſubſiſt together.

Lastly, as in publiſhing this aſſertion I intend to ſatisfie the ſcrupulous, and to put to ſilence the malicious; ſo alſo to confirm the conſciences of ſuch as are friends and favourers to the right way of Church government. *Whatſoever is not of faith is ſin*, ſaith the Apoſtle, yea though it be in a matter otherwiſe indifferent: how much more is it neceſſary that we hale not in our judgement concerning the government of the Church, but walk ſtraight in the plerophory and full aſſurance of the ſame, from the warrants of the word of God; I ſay againe from the warrants of the word of God, for as it is not my meaning to commend this forme becauſe it is *Scotlands*, ſo I hope aſſuredly that my Country-men will not diſpiſe Gods Ordinance, becauſe it is *Scotlands* practice, but rather follow them in ſo far as they follow Chriſt and the Scripture. This therefore I pray, that thy love may abound yet more and more, in knowledge and in all judgement, that thou maieſt approve the things that are excellent. *Conſider what I ſay, and the Lord give thee underſtanding in all things*, Amen.

Rom. 14 23.

Phil. 1, 9.

2. Tim. 2, 7.

The

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Of

The Errata.

GOod Reader if thou wouldeſt not be ſtumbled in thy reading, be pleaſed to correct theſe faults following, eſpecially ſuch as may moſt breed a miſtake, which are here marked after with this mark ——— Smaller errours thou wilt pardon.

Pag. 2. lin. 17. 2. 16. *read* 3, 16 p. 11. l. 8. *noſtras* read *noſtris*. *Ib.* l. 18. *νομοθετικῶς*, onely *read* *νομοθετικὸς* onely, p 13 l. 9. communication *read* excommunication, p 16. l 5 3. 15. *read* 3. 13. pag 44. l 22 He *read* Thirdly he, p 45 l. 18. *Sarbon* read *Sorbon*. p 52. l. 20. *κοπῶζι* read *κοπῶζιν* p 53. lib. 15. *Φθειρουσιν* read *Φθειρόμενον*. p. 54. l. 24. Elders that, *read* Elders in the New Teſtament that —— p. 74 l 8. *Scutanus* read *Smeanus*, p 81. l 28 2 *Tim* read 1 *Tim*. p 83. l. 25. the court *read* that court, p. 85. l. 1. peace, and warre by, *read* peace and warre, by. p. 86. l. 25 accuſation *read* accuſations, p 89. l. 17. ſcrapeth *read* ſcapeth, p 90. l. 9. proceed *read* preſide *Ib* l. 17. Schollers *read* Schools, p 93. l 6. function *read* functions, p. 95. l. penult. *Gagveius* read *Gagneus*, p 96. l 11. *ver.* 5. read *ver.* 4. *Ib.* l. 17. Brethient, hat *read* Brethren that, p 98. l. 1. nobility *read* nullity ——— p. 99. l. penult. Chuch *read* Church repreſentatively ——— p. 100. l. ult. ſpoil *read* puzle ——— p 101. l 22. right power *read* right or power ——— p. 114 l. penult. elderſhiſh *read* elderſhip, p 116. l 1. *φλείονων* read *πλείων*, p. 120. l. 5. and *read* but ——— pag. 111. l 10. is this *read* in this, p. 122. l. 10. not to *read* not fit to ——— p. 125. l. 7. and not *read* no not. p. 127. l. 2. ont *read* up out. *Ib.* l. 21. alihe *read* alike, p. 133. l. 15. the the *read* their, p. 134. l. 13. right *read* rite ——— p. 135. l 12. *tumque* read *cumque*, p. 138. l 13. great *read* greater, p. 140. l. ult. *domatius* read *domatim*, p 143. l 25. Biſhop *read* Biſhops ——— p 144. l. 22. *ἐκκλεσίαν* read *ἐκκλησίαν*, pag. 149. l. 3. *Iudex* read *Index* ——— p. 151. l 5. autocratork *read* autocratorik, p. 163. l. 1. and to *read* to, p 176 l. 12. fat *read* fit, p. 184. l. 13. of 21. *read* of 27 p. 196. l. 15. permit *read* premit. p. 199. l 6. from the officers to, *read* to the officers from ——— p. 205. l. ult. proveth that no, *read* proveth not that ———

In the poſtſcript.

Pag. 8. l. 13. are *read* as, p 11. l. 6. maſters *read* maſter, *Ib.* l. 15. of *verb read* of the *verb*. p 12. l. 16. *dele*. p. 17. l. 11. it *read* as it, p 25. l. 22. *Morellius* read *Morellius*, p. 29. l 17. by the *read* to the, p. 32. l 4. he *read* the, *Ib.* l. 26. tenne *read* tenth, p 43 l. ult. ſome *read* in ſome ——— p. 35. l. 11. *dia* read *dic*. p. 37. l. 29. their *read* the p. 40. l 6. clauſe *read* claſſe, *Ib.* l. 23. things *read* thing.

Marginall faults.

Pag. 6. 4. 88. *read* q. 88. p. 33. adde *Biſh. de gub. eccleſ. cap.* 4. pag 53. p 31 *lib.* 2. read *lib.* 1. *lb. d.* of *read def.* p 91. *act. de* read *act. de*, pag. 104. *lib.* 2 read *de rep. eccl. lib.* 2 p. 176. *ex* 18. read & 18.

In the poſtſcript.

Pag 33. *dyp.* read *diſp.* Ib. *ex dyp.* read & *diſp.*

The first part,

CONCERNING RVLING ELDERS.

CHAP. I.

Of the words Elder, Lay Elder, Ruling Elder.

THE word *Elder* answereth to *Zaken* in the Hebrew, & πρεσβύτερος in the Greek. It hath foure different significations, 1. It noteth Age. 2. Antiquity. 3. Venerability. 4. An office. In the first signification, *Elder* is opposed to younger, as 1 *Tim.* 5. 1. *Rebuke not an*

Elder, but intreat him as a father, & the younger men as brethren, 1 Pet. 5.5. *Likewise ye younger submit your selves unto the Elder.* In this sense was the Apostle *Iohn* called *the Elder*, because hee outlived the other Apostles, 2 *Iohn* 1. and 3. vers. 1. In the second signification *Elder* is opposed to *Moderne*, *Mat.* 15. 2. *Why doe thy Disciples transgresse the tradition of the Elders.* That is, *of them of old time*, *Mat.* 5.21. In the third signification we finde the word, *Isa.* 3. where the Lord saith, that he would take away from Israel *the prudent and the antient*, *vezaken*; that is, the worthies among them, and such as were respected for wisedome. The same word, (and peradventure in the same sense) is turned Elder, Exod. 3.16. *Eth-zikne Israel*, *the Elders of Israel.* So the Spanish *Seijor*, the French *Seigneur*, the Italian *Signore*, all comming from the Latine *Senior*, signifie a man of respect, or one venerable for dignity, gifts, prudence, or piety. Contrariwise, men of no worth, nor wisedome, men despicable for lacke of gifts and understanding, are called *Children*, Isa. 3.4. 12. Ephes. 4.14. But it is the fourth signification which we have now to do withall, and so an Elder is a spirituall officer, appointed by God, and called to the government of the Church, Acts 14. 23. *When they had*

by

by voyces made them Elders in every Church. They have the name of Elders, becauſe of the maturity of knowledge, wiſedome, gifts and gravity, which ought to be in them: for which reaſon alſo the name of *Senators* was borrowed from *Senes*.

Before we come to ſpeake particularly of thoſe Elders of which our purpoſe is to treat, it is fit we ſhould know them by their right name, leſt wee nick-name and miſ-call them. Some reproachfully and others ignorantly call them Lay Elders. But the diſtinction of the Clergie & Laity, is Popiſh and Antichriſtian; and they who have narrowly conſidered the records of ancient times, have noted this diſtinction as one of the grounds whence the myſtery of iniquity had the beginning of it. The name of Clergie appropriate to Miniſters, is full of pride and vaine-glory, and hath made the holy people of God to be deſpiſed, as if they were prophane and uncleane in compariſon of their Miniſters. *Gerard* likeneth thoſe who take to themſelves the name of the Clergie, to the Phariſees, who called themſelves by that name: for that their holineſſe did ſeparate them from the reſt of the Jewes: for this Etymologie of the name *Phariſee*, hee citeth *Tertullian*, *Origen*, *Epiphanius*, *Ambroſe*, and confirmeth it from

Catal. teſt. verit. lib. 2. col. 98. Oſiand. cent. 1. p. 81.

Loc. theol. t. 6. n. 37.

Luke 18.10. Hence was it that ſome Councels diſcharged the Laity from preſuming to enter within the Quire, or to ſtand among the Clergie neere the Altar. Two reaſons are alleadged why the Miniſters of the Church ſhould bee called κληρικοι. Firſt, becauſe the Lord is their Inheritance: ſecondly, becauſe they are the Lords inheritance. Now both theſe reaſons doe agree to all the faithfull people of God: For there is none of the faithfull, who may not ſay with *David*, *Pſal. 16.5. The Lord is the portion of my inheritance*; and of whom alſo it may not bee ſaid, that they are the Lords inheritance, or lot: for *Peter* giveth this name to the whole Church, 1 Pet.5.3. Where (if it were needfull) we might chalenge Biſhop *Hall*, who borrowes a gloſſe from *Bellarmine* and *Gregorius de Valentia*, telling us, that *Peter* chargeth his fellow Biſhops not to dominier over their Clergie; ſo ſhutting out of the Text, both the duty of Paſtors, becauſe the Biſhops onely are meant by Elders; and the benefit of the people, becauſe the inferiour Paſtors are the Biſhops flocke, according to this gloſſe: for *Peter* oppoſeth the *Lording over the* κληρους, to *being enſamples to the Flocke*. Surely, if this Popiſh Gloſſe bee true, Proteſtants in their Commentaries and Sermons, have

Synod. Turon. 2. Can. 3. Syn. Conſtant. 6. can. 69.

Of Epiſcop. by divine right, pag. 212.

have gone wide from that Text. But *Matthias* the Apoſtle was choſen by lot. What then? By what reaſon doth the Canon law draw from hence a name common to all the Miniſters of the Goſpell? Let us then baniſh from us ſuch Popiſh names, and ſend them home to Rome. *Bellarmin* thought we had done ſo long ere now: for he maketh this one of his controverted heads: Whether wee may rightly call ſome Chriſtians the Clergie, and others the Laity, or not, aſcribing the negative to Proteſtants, the affirmative to the Church of Rome.

Act. i. 26.

d. 21. ca. cleros

De cleric. lib. 1. cap. 1.

Yet beſide the Clergy and the Laity, Papiſts hold that there is a third ſort in the Church diſtinct from both, whom they call *Regulares*. Theſe are ſuch of their religious orders, as are not taken up with contemplation alone (like the Monkes) but with action; ſuch as the Dominicans, Franciſcans, &c. Who helpe and aſſiſt the Clergy in their Eccleſiaſticall imployments, though they themſelves bee not admitted into any particular charge in the Church. Now hee who will needs ſide with the Papiſts in the diſtinction of Clergy and Laity, may alſo with them admit a third member of the diſtinction, and make ruling Elders of that ſort; eſpecially ſince the reaſon why the regular

Bell. præ fat. ante lib. de cleric.

Bell. lib. 2. de mon. cap. 1.

gular Chanoins are assumed as helpers to Parish Priests, is, *propter multitudinem fidelis populi, & difficultatem inveniendi curatos sufficientes & idoneos*, saith Cardinall *Cajetan*, adding further, *male consultum populo Christiano invenitur sine hujusmodi supplemento.* Which reasons agree well to ruling Elders. For 1. Parishes containe so many, that the Minister cannot oversee all, and every one without helpe. 2. Sufficient and fit Ministers shall hardly bee every where found. 3. It is found by experience, that sinne and scandall are never well taken heede to, and redressed, where ruling Elders are not. To let all this passe, if any man will needs retaine the name of Lay Elders, yet saith *Gersomus Bucerus*, What aspersion is that to our Churches? is it any other thing then that which Papists object to us for admitting Lay men into Councels? They who have place in the highest and most supreame assemblies of the Church, wherein the weightiest matters are determined, ought much more to be admitted into inferiour meetings, such as Presbyteries are.

In 2. 2. q. 88. art. 4.

De gub. eccl. pag. 28.

But if we will speake with Scripture, wee shall call them *Ruling Elders*, *Rom.* 12.8. *he that ruleth*, 1 *Tim.* 5.17. *Elders that rule well.* They are called ruling Elders, *non quia soli*

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M. Elias Haſenmullerus. Hiſt. ordin. Jeſ. pag. 68.

CHAP.

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CHAP.

CHAP. II.

Of the function of Ruling Elders, and what ſort of Officers they be.

Lib. 4. diſt. 4. NOtwithſtanding, of all the multiplicity of Popiſh orders, yet *Peter Lombard* treading the veſtiges of the primitive ſimplicity, did obſerve that the Apoſtles left only two ſacred orders to bee perpetuall in the Church, the order of Deacons, & the order of Elders. The adminiſtration of Deacons is exerciſed about things bodily. The adminiſtration of Elders about things ſpirituall. The former about the goods: the latter about the government of the Church. Now Elders are of three ſorts. 1. Preaching Elders, or Paſtors. 2. Teaching Elders or Doctors. 3. Ruling Elders. All theſe are Elders, becauſe they have voice in Presbyteries, and all aſſemblies of the Church, and the government of the Church is incumbent to them all: not onely to the Paſtor and Elder, but to the Doctor alſo. The Biſhop of *Dune* in his *examen conjurationis Scoticæ*, p. 35. alledgeth, that our Church of *Scotland* did never yet determine whether Doctors and Deacons have right of voycing in the Conſiſtories & Aſſembles

Aſſemblies of the Church. But had he read our booke of Policie, hee might have found, that it excludeth Deacons from being members of Presbyteries and Aſſemblies, Cap. 8. but admitteth Doctors into the ſame, Cap. 5. *The Doctor being an Elder, as ſaid is, ſhould aſſiſt the Paſtor in the government of the Kirke, and concurre with the Elders, his brethren, in all Aſſemblies, by reaſon the Interpretation of the Word, which is onely Iudge in Eccleſiaſticall matters, is committed to his charge.* But they differ, in that the Paſtor laboureth in the word of exhortation, that is, by the gift of wiſedome applieth the word to the manners of his flocke, and that in ſeaſon and out of ſeaſon, as he knoweth their particular caſes to require. The Doctor laboureth in the word of Doctrine, that is, without ſuch applications as the Paſtor uſeth, by ſimple teaching he preſerveth the truth and ſound interpretation of the Scriptures, againſt all hereſie and error. The ruling Elder doth neither of theſe, but laboureth in the government and policie of the Church onely. The Apoſtle hath diſtinguiſhed theſe three ſorts of Elders, 1 Tim. 5. 17. *Let Elders that rule well be counted worthy of double honour, eſpecially they who labour in the Word and Doctrine.* Where, as *Beza* noteth, hee diſtinguiſheth *the Word,*

which is the Paſtors part, from *Doctrine*, which is the Doctors part. Even as Rom. 12. 7. 8. hee diſtinguiſheth teaching from exhortation: and 1 Cor. 12. 8. putteth *the word of wiſedome*, and *the word of knowledge* for two different things. Now beſide thoſe Elders which labour in the Word, and thoſe which labour in Doctrine, *Paul* ſpeaketh to *Timothy* of a third ſort of Elders, which labour neither in the Word nor Doctrine, but in ruling well. Hence it appeareth, how truely the Booke of Policie, Cap. 2. ſaith, That there are foure ordinary, perpetuall, and neceſſary Offices in the Church, the office of the Paſtor, the Doctor, the Elder, and the Deacon: and that no other office, which is not one of theſe foure, ought to bee received, or ſuffered in the Church.

But when we ſpeake of Elders, *Non perſonatos, &c. we will not have diſguiſed and hiſtrionicall men, puffed up with titles, or idols dead in ſinnes, to be meant, but holy men, who being indued with faith in God, and walking in his obedience, God authoriſing them, and the Church his Spouſe chuſing and calling them, undertake the government thereof, that they may labour to the conſervation and edifica-*
Eccleſ. l. 2. c. 3. *tion of the ſame in Chriſt*, ſaith *Iunius*. A ruling Elder ſhould pray for the Spirit and gifts

of his calling, that hee may doe the duties of his calling, and not bee like him that played the Souldan, but a Souter; hee muſt doe his office neither ὑποκριτικῶς and *pro forma*, hee himſelfe being *Parcus Deorum cultor & infrequens*; nor ἐριστικῶς, doing all through contention and ſtrife about particulars. *Si duo de noſtrûm tollas pronomina rebus, prælia* (I may ſay *Iurgia*) *ceſſarent, pax ſine lite foret*: Nor δεσποτικῶς, Empiring and Lording among his brethren and fellow Elders; *Whoſoever will bee great among you, let him bee your miniſter; and whoſoever will bee chiefe among you, let him be your ſervant*, ſaith the onely Lord and Head of the Church: Nor yet ἀγαπητικῶς, ſetting himſelfe only to do a pleaſure, or to get preferment to ſuch as he favoureth; Nay, nor νομοθετικῶς, onely, by eſtabliſhing good orders, and wholeſome lawes in the Church, but he muſt carry himſelfe ὑπηρετικῶς, ſerviceably and miniſterially: for as his Function is *Officium* and *Iuriſdictio*, ſo it is *Munus*, a burdenſome ſervice and charge laid upon him.

Meum & tuum.

Matth. 20. 26. 27.

That a ruling Elder may bee ſuch a one as hee ought to bee, two ſorts of duties are requiſite, *viz.* duties of his Converſation, and duties of his Calling. The duties of his converſation are the ſame which the Apoſtle

1. Tim. 3. 2. 3. 4. 5. 6. 7. &c. 6. 11. Tit. 1. 6. 7. 8. *Paul* requireth in the converſation of the Miniſter of the Word, That he bee blameleſſe, having a good report, not accuſed of riot, or unruly, vigilant, ſober, of good behaviour, given to hoſpitality, a lover of good men, juſt, holy, temperate, not given to wine, no ſtriker, not greedy of filthy lucre, not ſelfe-willed, not ſoone angry, but patient, not a brawler, not covetous, one that ruleth well his owne houſe, having his children in ſubjection, with all gravity, one that followeth after righteouſneſſe, godlineſſe, faith, love, patience, meekneſſe, &c. Theſe and ſuch like parts of a Chriſtian and exemplary converſation, being required of Paſtors, as they are Elders, belong unto ruling Elders alſo. This being plaine, let us proceed to the duties of their calling.

For the better underſtanding whereof, we will diſtinguiſh with the Schoole-men, a two-fold power, the power of Order, and the power of Juriſdiction; which are different in ſundry reſpects. 1. The power of Order comprehendeth ſuch things as a Miniſter by vertue of his ordination, may doe without a commiſſion from any Presbyterie, or Aſſembly of the Church, as to preach the Word, to miniſter the Sacraments, to celebrate marriage, to viſite the ſicke, to catechiſe,

catechiſe, to admoniſh, &c. The power of Juriſdiction comprehendeth ſuch things as a Miniſter cannot doe by himſelfe, nor by vertue of his ordination; but they are done by a Seſſion, Presbytery, or Synod; and ſometimes by a Miniſter, or Miniſters, having Commiſſion, and authority from the ſame, ſuch as ordination and admiſſion, ſuſpenſion, deprivation and communication, and receiving againe into the Church, and making of Lawes and Conſtitutions Eccleſiaſticall and ſuch like; whereof we boldly maintaine, that there is no part of Eccleſiaſticall Juriſdiction, in the power of one man, but of many met together in the name of Chriſt. 2. The power of Order is the radicall and fundamentall power, and maketh a Miniſter ſuſceptive, and capable of the power of Juriſdiction. 3. The power of Order goeth no further then the Court of Conſcience; the power of Juriſdiction is exerciſed in Externall and Eccleſiaſticall Courts. Fourthly, the power of Order is ſometime unlawfull in the uſe, yet not voide in it ſelfe. The power of Juriſdiction when it is unlawfull in the uſe, it is alſo voide in it ſelfe. If a Miniſter doe any act of Juriſdiction, as to excommunicate, or abſolve without his owne pariſh, wanting alſo the conſent

of the Miniſtery and Elders of the bounds where he doth the ſame, ſuch acts are voide in themſelves, and of no effect. But if without his owne charge, and without the conſent aforeſaid, hee baptiſe an infant, or doe any ſuch thing belonging to the power of Order, though his act be unlawfull, yet is the thing it ſelfe of force, and the Sacrament remaineth a true Sacrament.

Now to our purpoſe. We averre that this twofold power of Order and of Juriſdiction belongeth to ruling Elders as well as to Paſtors. The power of Juriſdiction is the ſame in both; for the power and authority of all Juriſdiction belongeth to the Aſſemblies, and repreſentative meetings of the Church, whereof the ruling Elders are neceſſary conſtituent members and have the power of deciſive voycing no leſſe then Paſtors. Howbeit the execution of ſome decrees enacted by the power of Juriſdiction belongeth to Miniſters alone, for Paſtors alone exerciſe ſome acts of Juriſdiction, as impoſition of hands, the pronouncing of the ſentence of excommunication, the receiving of a penitent, &c. Are not theſe things done in the name and authority of ſome Aſſembly of the Church, higher or lower? Or are they any other then the executions of the decrees and

ſentences

ſentences of ſuch an Aſſembly wherein ruling Elders voyced. The power of Order alone ſhall make the difference betwixt the Paſtor and the ruling Elder; for by the power of Order, the Paſtor doth preach the Word, miniſter the Sacraments, pray in publike, bleſſe the Congregation, celebrate marriage, which the ruling Elder cannot. Therefore it is falſly ſaid by that railing *Rabſhakeh* (whom before I ſpoke of) Ep. pag. 7. That the ruling Elders want nothing of the power of the Miniſter, but that they preach not, nor baptiſe in publike congregations: yet other things which the Paſtor doth by his power of Order, the ruling Elder ought alſo to doe by his owne power of Order. And if we would know how much of this power of Order is common to both, let us note that Paſtors doe ſome things by their power of Order, which all Chriſtians ought to doe by the law of Charity. Things of this ſort a ruling Elder may and ought to doe by his power of Order, and by vertue of his election and ordination to ſuch an office. For example, every Chriſtian is bound in Charity to admoniſh and reprove his brother that offendeth; firſt, privately, then before witneſſes; and if he heare not, to tell it to the Church, Levit. 19.17. Matth. 18.15.16.17.

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This a ruling Elder ought to doe by vertue of his calling, and with authority, 1 Theſſ. 5.12. Private Chriſtians ought in Charity to inſtruct the ignorant, Joh.4.29.Act.18.26. to exhort the negligent, Heb.3.13.& 10.24 25. to comfort the afflicted, 1 Theſſ. 5. 11. to ſupport the weake, 1 Theſſ. 5. 14. To reſtore him that falleth, Galat.6.1. to viſite the ſicke, Matth. 25. 36. 40. to reconcile thoſe who are at variance, Matth. 5. 9. to contend for the truth, and to anſwer for it, *Iude* v.3. 1 Pet.3.15. All which are incumbent to the ruling Elder by the authority of his calling. To conclude then, the calling of ruling Elders conſiſteth in theſe two things. 1. To aſſiſt and voyce in all Aſſemblies of the Church, which is their power of juriſdiction. 2. To watch diligently over the whole flock all theſe wayes which have been mentioned, and to doe by authority that which other Chriſtians ought to doe in charity, which is their power of order. And the Elder which neglecteth any one of theſe two whereunto his calling leadeth him, ſhall make anſwer to God for it. For the Word of God, the Diſcipline of this Kirke, the bonds of his owne calling and covenant, doe all binde ſinne upon his ſoule, if either hee give not diligence in private, by admoniſhing all men of their dutie,

duty as the caſe requireth; or if he neglect to keepe either the Eccleſiaſticall Court and Co nſiſtory within the Congregation where his charge is, or the Claſſicall Presbyterie, and other Aſſemblies of the Church, which he is no leſſe bound to keepe then his Paſtor, when he is called and deſigned thereunto.

CHAP. III.

The firſt Argument for ruling Elders, taken from the Iewiſh Church.

HAving ſhewed what ruling Elders are, it followeth to ſhew Scripture and Divine right for them. Our firſt Argument is taken from the governement and pollicy of the Jewiſh Church thus: Whatſoever kinde of office-bearers the Jewiſh Church had; not as it was Jewiſh, but as it was a Church, ſuch ought the Chriſtian Church to have alſo. But the Jewiſh Church, not as it was Jewiſh, but as it was a Church, had Elders of the people, who aſſiſted in their Eccleſiaſticall government, and were members of their Eccleſiaſticall Conſiſtories. Therefore

ſuch ought the Chriſtian Church to haye alſo. The Propoſition will no man call in queſtion; for, *quod competit alicui qua tali competit omni tali.* That which agreeth to any Church as it is a Church, agreeth to every Church. I ſpeake of the Church as it is a politicall body, and ſetled Eccleſiaſticall Republike. Let us ſee then to the Aſſumption. The Jewiſh Church, not as it was a Church, but as it was Jewiſh, had an high Prieſt, typifying our great high Prieſt Jeſus Chriſt. As it was Jewiſh, it had Muſitians to play upon Harpes, Pſalteries, Cymbals, and other Muſicall Inſtruments in the Temple, 1 Chron. 25. 1. concerning which, hear *Bellarmines* confeſſion, *de bon. oper. lib.* 1. *cap.* 17. *Inſtinus ſaith, that the uſe of inſtruments was granted to the Iewes for their imperfection: and that therefore ſuch inſtruments have no place in the Church. Wee confeſſe indeed that the uſe of muſicall inſtruments agreeth not alike with the perfect, and with the imperfect, and that therefore they beganne but of late to be admitted in the Church.* But as it was a Church, and not as Jewiſh, it had foure ſorts of ordinary office-bearers, Prieſts, Levites, Doctors, and Elders, and we conformablie have Paſtors, Deacons, Doctors, and Elders. To their Prieſts and Levits, *Cyprian* doth

Lib. 1. Ep. 9.

doth rightly liken our Paſtors and Deacons, for howſoever ſundry things were done by the Prieſts and Levites, which were typicall and Jewiſh onely; yet may we well parallell our Paſtors with their Prieſts, in reſpect of a perpetuall Eccleſiaſticall office common to both, *viz.* the Teaching and governing of the people of God, Mal. 2.7. 2 Chron. 19.8. and our Deacons with their Levits, in reſpect of the cure of Eccleſiaſticall goods, and of the work of the ſervice of the houſe of God in the materialls and appurtenances thereof, a function likewiſe common to both, 1 Chro. 26. 20. & 23. 24. 28. The Jewiſh Church had alſo Doctors and Schooles, or Colledges for the preſervation of true Divinity among them, and of tongues, arts, and ſciences, neceſſary thereto, 1 Chron. 15. 22. 27. 2 King. 22. 14. 1 Sam. 19. 20. 2 Kings 2. 3. 5. Act. 19. 9. Theſe office-bearers they had for no typicall uſe, but wee have them for the ſame uſe and end for which they had them. And all theſe ſorts of office-bearers among us wee doe as rightly warrant from the like ſorts among them as other whiles wee warrant our baptizing of Infants from their circumciſing of them, our Churches by their Synagogues, &c.

Iun. Eccleſ. lib. 2. cap. 5. Moſ. and Aaron. li. 2. c. 2. Alſted. Theſau. Chro. pag. 265. Ferus. Theol. lib. 7. pag. 151. 152. Martyr. loc. com. claſſ. 4. cap. 1. p. 745.

Now that the Jewiſh Church had alſo

ſuch Elders as wee plead for, it is manifeſt: for beſides the Elders of the Prieſts, there were alſo Elders of the people joyned with them in the hearing and handling of Eccleſiaſticall matters, Jer. 19. 1. *Take of the ancients of the people, and of the ancients of the Prieſts.* The Lord ſending a meſſage by the Prophet, would have a repreſentative body of all Judah to be gathered together for receiving it, as *Tremellius* noteth. So 2 Kings 6. 32. *Eliſha ſate in his houſe, and the Elders ſate with him.* We read, 2 Chron. 19. 8. That with the Prieſts were joyned ſome of the chiefe of the Fathers of Iſrael, to judge Eccleſiaſticall cauſes and controverſies. And howſoever many things among the Jewes in the latter times, after the captivity, did weare to confuſion and miſorder, yet we finde even in the dayes of Chriſt, and the Apoſtles, that the Elders of the people ſtill ſate and voyced in Councell with the Prieſts, according to the ancient forme, as is cleare from ſundry places of the new Teſtament, Matth. 16. 21. and 21. 23. and 26. 57. 59. and 27. 1. 12. Mark 14. 43. Luke 22. 66. Acts 4. 5. This is alſo acknowledged by the Roman Annaliſt *Baronius*, who confeſſeth further, That as this was the forme among the Jewes, ſo by the Apoſtles was the ſame forme obſerved

Anno 58. n. 10.

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in their times, and Seniors then admitted into Councels. *Saravia* himſelfe, who diſputeth ſo much againſt ruling Elders, acknowledgeth what hath been ſaid of the Elders of the Jewes, *Senieres quidem invenio in Conſeſſu Sacerdotum veteris Synagogæ, qui Sacerdoti non erant. I finde indeed* (ſaith hee) *Elders in the Aſſembly of the Prieſts of the old Synagogue, which were not Prieſts. Et quamvis parca eorum eſſent ſuffragia & authoritas in omnibus judiciis cum ſuffragiis Sacerdotum, &c. And although* (ſaith hee) *their ſuffrages and authority in all judgements were equall with the ſuffrages of the Prieſts, &c.* But what then, thinke yee, hee hath to ſay againſt us? Hee ſaith, that the Elders of the Jewes were their Magiſtrates, which in things pertaining to the externall government of the Church, ought not to have been debarred from the Councell of the Prieſts, more then the Chriſtian Magiſtrate ought now to bee debarred from the Synods of the Church. Now to prove that their Elders were their civill Magiſtrates, hee hath no better argument then this, That the Hebrew word *Zaken*, which is turned Elder, importeth a chiefe man, or a Ruler. We anſwer, Firſt, this is a bold conjecture which hee hath neither warranted by divine nor by humane teſtimo-

nies. Secondly, *Zaken* doth not ever ſignifie a Ruler, or a man in authority, as we have ſhewed before. Thirdly, let us grant *Zaken* to bee a name of dignity, and to import a chiefe man; yet a chiefe man is not ever a Magiſtrate, nor a Ruler. It would onely follow that they were of the chiefe of the fathers of Iſrael that were joyned with the Prieſts in the Sanedrim, and ſo it was, 2 Chron. 19.8. *Non hercle de plebe hominum lecti ſed nobiliſſimi omnes*, ſaith *P. Cunæus*. They were, ſaith *Loc. Theol. to. 6. §. 28. Proceres tribuum qui allegabantur una cum ſacerdotibus & ſcribis in ſacrum ſynedrium.* Fourthly, they who were ſo joyned in Councell with the Prieſts, 2 Chron. 19.8. are plainely diſtinguiſhed from the Judges and Magiſtrates, verſ. 11. And ſo are the Princes & Rulers diſtinguiſhed from the Elders, Act. 4.5. Judg. 8.14. Deut. 5.23. Joſ. 8.33. Fifthly, we would know whether he thought that all the Magiſtrates of the Jews ſate in Councel with the Prieſts, or ſome of them onely: if ſome only, we deſire either proofe or probability who they were, and how many; if all, then ſhould wee by the like reaſon admit not the ſupreame Magiſtrate alone (which hee ſeemeth to ſay) into the Synods of the Church, but all Magiſtrates whatſoever, and

De repub. Jud. lib. 1. c. 12.

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what a confuſion ſhould that bee? Sixthly thoſe Elders that ſate in the civil Sanedrim, were Rulers by their ſitting there; but the Elders which ſate in the Eccleſiaſticall Sanedrim, either were not civill Magiſtrates, or at leaſt ſate not there as Magiſtrates. So do our Magiſtrates ſometimes ſit with us, as members of our Aſſemblies, not as Magiſtrates, but as Elders. Of the diſtinction of thoſe two Courts, which every one obſerveth not, we ſhall ſpeake more afterward.

We have ſaid enough againſt *Saravia*, but *Bilſon* doth better deſerve an anſwer, who alledgeth more ſpecious reaſons to prove, that the Elders of the Jewes were their civill Magiſtrates. Hee ſaith, There was no Senate nor Seniors among the Jewes, but ſuch as had power of life and death, of impriſonment, confiſcation, baniſhment, &c. which hee maketh to appeare thus: In the dayes of *Ezra* the puniſhment of contemners was forfeiture of their ſubſtance, and ſeparation from the congregation, *Ezra* 10. 8. The triall of ſecret murther was committed to the Elders of every City, Deut. 21. 3. 4. They delivered the wilfull murtherer unto the Avenger of bloud, to be put to death, Deut. 19. 12. They condemned a ſtubborne ſonne to death, Deut. 21. 19. They chaſtened a man

man who had spoken falsly of his wife, that hee found her not a virgin, Deut. 22. 15. 16. 18. *Ans.* First, if it should bee granted, that the Elders spoken of in these places, were civill Magistrates, this proveth not that there were no Ecclesiasticall Elders among the Jewes. *Iustellus* in his Annotations upon the Booke of the Canons of the African Church, distinguisheth betwixt the civill Elders mentioned, Can. 91. who were called *Seniores locorum*, or *Vrbium*: and the Ecclesiasticall Elders mentioned, Can. 100. who were called, *Seniores Ecclesiæ*, and *Seniores Plebis*: the former name distinguishing them from the civill Elders, the latter distinguishing them from Preaching Elders. So there might be the same two sorts of Elders among the Jewes. And what then? It is enough for us that wee finde in the Jewish Church, some Elders joyned with the Priests, & employed in things Ecclesiasticall. The Elders and Priests are joyned together both in the new Testament, as Matth. 26. 59. *the chiefe Priests and Elders*; so in other places before cited: And likewise in the old Testament, Exod. 24. 1. *Come up unto the Lord, thou and Aaron, Nadab and Abihu, and seventy of the Elders of Israel*, Deut. 27. 1. *Moses with the Elders*, compared with vers. 9. *Moses and the Priests*

Bertram de Pol. Jud. cap. 16. saith, that these Elders did continue among the ten Tribes, even after the defection of Jeroboam. Seniores erant qui in mores & vitam piorum virorum, &c. Inquirebant & reprehensionibus censurisq; Ecclesiasticis animadvertebant. Horum Seniorum & reliquæ Ecclesiæ cœtus & actiones moderabantur Prophetæ: ut ad Prophetæ domum aliquando Seniores convenirent, 2 Reg. 6. 32.

Prieſts. Ezech. 7. 26. *The Law ſhall periſh from the Prieſt, and counſell from the ancients*, Jer. 19 1. *Take of the ancients of the people, and of the ancients of the Prieſts.* Wee finde alſo the Commandements of God firſt delivered to the Elders, and by them to the people, Exod. 12. 21. 28. and 19. 7. 8. It is ſaid, Deut. 27. 1. *Moſes with the Elders of Iſrael commanded the people.* Upon which place *Hugo Cardinalis* ſaith: *Argumentum, &c.* Here is an argument that a Prelat ought not to command any thing without the counſell of the Elders.

Secondly, but it cannot bee proved, that theſe Elders in the places objected, were Judges or Magiſtrates: nay, the contrary appeareth from other places, which wee have before alledged for the diſtinction of Elders from Magiſtrates or Judges: whereunto wee may adde, 2 Kings 10. 1. *Vnto the Rulers of Iezreel, to the Elders, and to them that brought up Ahabs children.* And verſe 5. *Hee that was over the houſe, and hee that was over the Citie, the Elders alſo, and the bringers up of the children*, Ezra 10. 14. *The Elders of every Citie, and the Iudges thereof.*

Fourthly, we read of threeſcore and ſeventeen Elders in Succoth, Judg. 8. 14. whereas the greateſt number of Judges in one Citie

among the Jewes was three for ſmaller matters, and three and twenty for greater matters. This objection *Bilſon* himſelfe moveth, but anſwereth it not.

Fiftly, as for the places which hee objecteth againſt us, the firſt two of them make againſt himſelfe. In Ezra 10.8. wee finde not onely the civill puniſhment of forfeiture, but alſo as *Pellicanus* on that place, and *Zepperus de pol. Eccl. lib. 3. cap. 7.* doe obſerve the Eccleſiaſticall puniſhment of excommunication, or ſeparation from the Congregation: the former anſwering to the councell of the Princes, the latter to the councell of the Elders. The place Deuter. 21. 3. 4. maketh againſt him in three reſpects. Firſt, the Elders of the City did but waſh their hands over the beheaded Heifer, and purge themſelves before the Lord from the bloodſhed, which was a matter rather Eccleſiaſticall then civill, *neque enim, &c. For there was no neede of a Iudge here who ſhould be preſent formally as Iudge*, ſaith *Ronfrerius*, the Jeſuite, upon that place. Secondly, the controverſie was decided by the word of the Prieſts, verſ. 5. Thirdly, *Toſtatus* thinketh that the Elders & the Judges are plainely diſtinguiſhed, verſ. 2. *Thy Elders and thy Iudges ſhall come forth. Quæras hic, &c. Thou mayeſt here aske*, ſaith Pelargus,

Pelargus, why the Elders of the people and the Iudges were both together called out? I anſwer, becauſe God will have both the Magiſtrate and the ſubjects to be innocent, &c. As for the other places, that which ſeemeth to prove moſt for the civill power of the Jewiſh Elders, is Deuter. 22. yet heare what that famous Commentator, *Toſtatus Abulenſis*, ſaith on that place, *Quando talis, &c. When ſuch a cauſe was to bee judged, becauſe it was very weighty, the Elders of the City did meet together with the Iudges thereof, for in ſuch facts there is ſome place for conjecture, and the Elders who are the wiſer ſort, can herein bee more attentive then others.* So hee noteth upon Ruth 4. 2. that the Elders ſate in the gate about the controverſie betwixt *Boaz* and the other Kinſman, not as Judges, but as witneſſes and beholders, that the matter might bee done with the more gravity and reſpect. Which doth further appeare from verſ. 9. 11. In like manner wee anſwer to Deut. 21. 19. the Judges decided that cauſe with advice and counſell of the Elders: and ſo the name of *Elders* in thoſe places may bee a name not of office, but of dignity, ſignifying men of chiefe note, for wiſedome, gravity, and experience. In which ſenſe the word *Elders* is taken, Gen. 50. 7. as *Toſtatus* and *Rivetus* ex-

pound that place. In the ſame manner we ſay of Deuter. 19.12. and in that caſe it is further to bee remembred that the Cities of refuge had a kinde of a ſacred deſignation and uſe, for the Altar it ſelfe was ſometimes a place of refuge, Exod. 21.14. and when the ſixe Cities of refuge were appointed, they were of the Cities of the Levits Numb. 35.6. that by the judgement and counſell of the Levits who ſhould beſt underſtand the Law of God, ſuch controverſies might be determined, as *Pellicanus* on that place ſaith well; for this cauſe ſome read Joſh. 20.7. *They ſanctified Kedeſh, &c.* Beſides, if it bee true that theſe cauſes were judged, not in the City where the murder was committed, but in the City of refuge, as *Serrarius* holdeth with *Maſius* and *Montanus*, and alledgeth for it ſome very conſiderable reaſons, then doth *Bilſons* Argument from Deut. 19.12. faile alſo in this reſpect, for the Elders there mentioned are the Elders of the City where the murder was committed.

In Joſ. 20. quæſt. 3.

CHAP.

CHAP. IV.

The ſecond Argument taken from Matth. 18. 17.

OUR ſecond argument we take from Matth. 18. 17. *Tell the Church.* Let an obſtinate offender, whom no admonition doth amend, bee brought and judged by the Church. Where firſt of all, it is to bee condeſcended upon; That though hee ſpeaketh by alluſion to the Jewiſh Church, as is evident by theſe words, *Let him be unto thee as an heathen man and a Publican*; Yet hee meaneth of the Chriſtian Church, when he ſaith, *Tell the Church*, as may appeare by the words following, *Whatſoever ye bind on earth, &c.* which is meant of the Apoſtles and Miniſters of the Goſpell, Joh. 20. 23. ſo that hee did not ſend them to the Synedrium of the Jewes, when hee bade them tell the Church: nor, 2. doth hee meane of the Church univerſall; for then we ſhould have none of our wrongs redreſſed, becauſe wee cannot aſſemble the Church univerſall; nay, nor the repreſentative of it, which is an Oecumenicke Councell: Nor 3. can wee underſtand it of the collective body, of a particular

cular Church or Congregation; for hee who is the God of order, not of confuſion, hath committed the exercise of no Eccleſiaſticall juriſdiction to a promiſcuous multitude. Nor 4. can it be taken of a Prelate, who being but one, can no more be called *the Church*, nor one can be called many, or a member be called a body. *Non enim una perſona poteſt dici Eccleſia*, ſaith Bell. de Eccleſ. l. 3. c. 17. *Cum Eccleſia ſit populus & regnum Dei.* It is plaine, that the Church there ſpoken of, is a certaine number met together, *Where two or three are gathered together. &c.* Nor 5. can wee with *Eraſtus* and *Bilſon* expound it of the Chriſtian Magiſtrate, which expoſition, beſide that in a new-fangled language, it calleth the Magiſtrate the Church, and goeth about to overthrow all Eccleſiaſticall juriſdiction. It is alſo utterly contrary to the purpoſe of Chriſt, and to the aime of that diſcipline which he recommendeth to bee uſed, which is the good of out brother, and the gaining of him from his offence, whereas the exerciſe of civill juriſdiction of the Magiſtrate is not intended for te good of the offender, and for the winning of him to repentance; but for the publike good of the Common-wealth, and for the preſervation of peace, order, and juſtice, therein according to the lawes. Wherefore by

De guber. Eccleſ. cap. 4. p. 70. 71.

by the Church whereof our maſter ſpeaketh, we muſt needs underſtand ſuch a repreſentative meeting of the Church, wherein a ſcandalous and obſtinate perſon may, and ought to be judged. And what is that? *Collegium Presbyterorum*, ſaith *Camero*. The Presbytery whereof mention is made, 1 Tim. 4.14. Tell the Church, that is, πρεσβυτεροις και προεστωσι ſaith *Chryſoſtome*, expounding the place: he meaneth the Presbyterie made up of Paſtors and ruling Elders. And ſo *Zanchius* and *Iunius* expound him. The Paſtors were προεδροι, becauſe of their preſiding in the Conſiſtories of the Church. The ruling Elders were προισταμενοι, becauſe of their ruling the flocke. *Whitgift* ſaith, *Truth it is, that the place of Matthew may be underſtood of Seniors, but it may bee aſwell underſtood of any other, that by the order of the Church, have authority in the Church.* His confeſſion in behalfe of Seniors we accept, but that he maketh this Scripture like a noſe of waxe, and the government of the Church like the French faſhion, that we utterly abhorre. But how is the Presbytery called the Church, and why? Firſt, even as the body is ſaid to ſee when as the eyes alone doe ſee; ſo ſaith *Camero*. The Church is ſaid to heare that which they alone doe heare, who are as the eies of the

Prælect. tom. 1. p. 23.

In 4. præcept. col. 741. Contr. 3. l. 2. c. 6.

D. of Tract. 17. c. 2. Div. 4.

Ubi ſupra, pag. 26.

the Church. Secondly, it is a common forme of ſpeech to give the name of that which is repreſented to that which repreſenteth it. So wee commonly ſay that this or that is done by the States of Holland, which is done by the Senate at Hague. Now though Biſhops or Paſtors alone cannot repreſent the Church, becauſe hearers alſo belong to the definition of the Church; yet the Preſbytery can well repreſent the Church, becauſe it containeth, beſide thoſe who labour in the word, ruling Elders put in authority by the Church for the government thereof, as *Gerard* rightly reſolveth. Our Divines prove againſt Papiſts that ſome of theſe whom they call Laickes ought to have place in the Aſſemblies of the Church by this Argument among the reſt; becauſe otherwiſe the whole Church could not be thereby repreſented. Thirdly, the Lord commanded that the children of Iſrael ſhould lay their hands upon the Levits at their conſecration, and that the whole congregation ſhould bee brought together for that effect. This, as ſome have obſerved out of *Aben-Ezra*, cannot bee ſo underſtood as if the many thouſands which were then in the Hoſte of Iſrael had all laid their hands upon them, but the Elders of Iſrael onely repreſenting them.

Loc. Theol. tom. 6. p. 137.

Num. 8 9.10.

Trem. of Eccleſ. diſcip. pag. 87.

So

So the Lord ſaith, *ſpeake to all the Congrega tion of Iſrael, &c.* But the execution of this command is expreſſed thus, *Then Moſes called for all the Elders of Iſrael, and ſaid unto them, &c.* So Joſh. 20.6. Fourthly, Paſtors and Elders, as they are the Miniſters of Jeſus Chriſt, ſo are they the Miniſters and ſervants of his Spouſe the Church. From that which hath beene ſaid we may draw our Argument in this forme. Exod. 12.3. verſe 21. 2 Cor. 4.5.

Whatſoever Courts doe repreſent the Church, theſe are made up of ruling aſwell as teaching Elders.

But Presbyteries and all Aſſemblies of the Church are Courts which repreſent the Church. *Ergo.* The propoſition is proved thus: Whatſoever Courts repreſent hearers aſwell as teachers, and the people aſwell as the Miniſtery, theſe are made up of ruling as well as teaching Elders.

But whatſoever Courts doe repreſent the Church, theſe repreſent hearers aſwell as teachers, &c. It is plaine enough that the Church cannot bee repreſented except the hearers of the word, which are the farre greateſt part of the Church be repreſented. By the Miniſters of the word they cannot be repreſented more then the Burghes can bee repreſented in Parliament by the Noblemen

or by the Commissioners of Shires; therefore by some of their owne kinde must they be represented, that is by such as are hearers and not preachers. Now some hearers cannot represent all the rest, except they have a calling and commission thereto, and who can those be but ruling Elders?

CHAP. V.

Our third Argument taken from Romans 12.8.

OUR third Argument is grounded upon Rom. 12.8. The Apostle hath declared before that, as there are many members in one body, and all the members have not the same office, for the office of the eye is to see, of the eare to heare, &c. So are their gifts given to the severall office-bearers of the Church, wherewith every one in his owne office may glorifie God and edifie the Church, vers. 4. with vers. 5.6. These gifts he saith are differing, according to the grace given to us; that is, according to the holy charge and office given unto us by the grace and favour of God: so vers. 3. *Through the grace*

grace given unto me, ſaith *Paul*: that is through the authority of my Apoſtleſhip, which by grace I have obtained. Now whiles he exhorteth every one to the faithfull and humble uſe of his gift which he hath received for the diſcharge of his office, he illuſtrateth his exhortation by the enumeration of the ordinary Eccleſiaſticall offices verſ. 6. 7. 8. And as *Beza*, *Piſcator*, and *Iunius* doe well reſolve the text. Firſt, he maketh a generall diviſion of functions in the Church, making two ſorts of the ſame *Propheſie*, whereby is meant the faculty of expounding Scripture: and *Miniſterie* comprehending all other imployments in the Church. Prophecying the Apoſtle ſubdivideth into Teaching, which is the Doctors part, and Exhortation which is the Paſtors. Miniſtery he ſubdivideth in Giving, which is the Deacons part. Ruling which is the ruling Elders part, and Shewing mercy, which pertained to them who had care of the ſicke. Againſt this commentary which we have made upon the Apoſtles words. *Sutcliffe* objecteth a double injury which we doe to Paſtors. Firſt, if theſe our Elders be the Rulers here ſpoken of, then Paſtors ought not to rule: as if (forſooth) Elders could not rule except they rule alone. Next hee ſaith wee make theſe Elders as

In illum locum. Eccleſ. l. 2. c. 1.

De Presbyt. p. 87.

neceſſary to the Church as Paſtors; ſo that a Church cannot be where there are not ruling Elders, even as there is not a Church where there are not Word and Sacraments. Surely, a Church may happen to want Paſtors, and ſo to want both the preaching of the Word, and the uſe of the Sacraments for that time: And ſo may it want Elders, and ſtill remaine a Church, but defective and maimed. Howbeit the Paſtors are more neceſſary then the Elders, becauſe they doe not onely rule, but preach beſide.

But to paſſe this, there are other things which better deſerve an anſwer: for one might object, 1. That the Apoſtle ſeemeth to ſpeake of ſeverall gifts onely, not of ſeverall offices. 2. If hee ſpeake of Offices, by what reaſon make we *Propheſie* and *Miniſtery* generall kindes, and all the reſt particular offices. 3. Why would the Apoſtle put the *Deacon* before the *Elder*. 4. Biſhop *Andrewes* in his Sermon of the worſhipping of Imaginations, maketh a fourth objection, that by our interpretation of this place, wee make *Qui miſeretur* to be Latine for a *widow*.

To the firſt of theſe we anſwer, The Apoſtles *Protaſis* ſpeaketh of ſeverall offices, not in the ſame, but in ſeverall members: how then ſhould we make his *Apodoſis* to ſpeak of

ſeverall

ſeverall gifts in the ſame, and not in ſeverall office-bearers of the Church: wherefore, as ſeeing, hearing, taſting, &c. doe differ ſubjectively in reſpect of the members, which doe ſee, heare, &c. So ſpeaketh the Apoſtle of teaching, exhorting, ruling, &c. as they are in different office-bearers. It is leaſt of all credible which *Bilſon* ſaith *de Eccleſ. gubern. c.*10.*p.*186. 187. that the Apoſtle ſpeaks not of the gifts of office-bearers, but of gifts diſtributed unto all the members of Chriſts myſticall body, even unto women. Hee had ſhewed us a great ſecret, if hee could have made it appeare, that all who are in the Church, women and all, may both propheſie and rule. In this hee ſhall have the praiſe of out-ſtripping the Separatiſts. We know that private Chriſtians may teach and exhort one another; but they doe not ſo devote themſelves thereto, as altogether to wait upon teaching and exhorting, which is the caſe the Apoſtle ſpeaketh of.

To the ſecond wee ſay, that *Propheſie* and *Miniſtery* are put *in abſtracto*, and joyned with a plurall ἐχούσας; but *teaching*, *exhorting*, *giving*, *ruling*, and *ſhewing mercie*, are put *in concreto*, and to each of them the ſingle article pre fixed; which is a ſufficient warrant to expound *Propheſie* and *Miniſtery*, as *Genera*,

and the reſt as *Species*. *Chryſoſtome* conſidering the word *Miniſtery*, ſaith, *Rem hic generalem ponit*.

To the third we anſwer, He which is firſt named, hath not alwayes ſome prerogative or dignity above him which is laſt named; elſe doe the Papiſts rightly argue, that *Peter* was the chiefe of all the Apoſtles, becauſe they finde him named before all the reſt, Matth. 10.2. Act. 1.13. The Apoſtle intended to reckon out all ordinary offices in the Church; but he intended not the preciſe order. *Chryſoſtome* upon this ſame place ſaith: *Vide quomodo iſta indifferenter ponat quod minutum eſt primo: quod magnum eſt poſteriore loco.* Epheſ. 4.11. hee putteth *Paſtors* before *Teachers*: here to the Romans he putteth *Teachers* before *Paſtors*.

To the fourth wee anſwer, That though it be ordinarily moſt convenient, that the office of attending the ſicke bee committed to women, yet it is not eſſentially neceſſary to the office: And as *Aretius* noteth upon the place, wee may under ἱλαρὸν comprehend not onely widowes appointed to attend the ſicke, but old men appointed to receive and entertaine ſtrangers. Which is alſo judicioufly obſerved by *Martyr*. Beſides, when the Apoſtle, 1 Tim. 5. teacheth what is required in widowes

Loc. com. claſſ. 4. cap 1. p. 746.

dowes, who ſhould bee made Diaconeſſes; this hee requireth among other things, that they be not ſuch as live in pleaſures and idleneſſe, and take not care to provide for their owne houſes, verſe 6.8. ἰδίοις; which though *Eraſmus* and *Beza* turne in the feminine, *quod ſi qua*, yet our Engliſh Tranſlators, and many good Interpreters, turne it in the maſculine. *And ſurely it ſhall have more weight if it agree to men as well as women*, ſaith *Calvin* upon that place. Now they who read in the maſculine, that which the Apoſtle ſaith there of widowes, will not, wee ſuppoſe, blame us for reading, Rom. 12. 8. in the maſculine alſo, *He that ſheweth mercie*. Wee conclude our third Argument thus:

Whatſoever office-bearer in the Church is different from Paſtors and Teachers, and yet ruleth the Church, he muſt needs bee a ruling Elder.

But ὁ προϊστάμενος mentioned, Rom. 12. 8. is different from Paſtors and Teachers, and yet ruleth the Church. Ergo.

CHAP.

CHAP. VI.

Argument 4. from 1 Cor. 12. 28.

OUR fourth Argument is drawn from 1 Cor. 12. 28. where we finde againe an enumeration of ſundry offices in the Church (though not ſo perfect as that Rom. 12.) and amongſt others, ***Helps***, that is, ***Deacons***, and ***Governments***, that is, ***Ruling Elders***. Where wee cannot enough admire how the Authors of the new Engliſh tranſlation were bold to turne it thus, ***Helps in Governments***, ſo to make one of two, and to elude our Argument. The originall hath them cleerely diſtinguiſhed, ἀντιλήψεις, κυβερνήσεις. And I finde ſome late editions of the Engliſh tranſlation to have it as it is in the Greek, ***Helps, Governments***. How this change hath been made in the Engliſh Bibles, I know not. ***Chryſoſtome*** expounding, this place doth not take Helps and Governements to be all one, as ***Bilſon*** hath boldly, but falſly averred. De gub. Eccl. c. 9. p. 204 Nay ***Chryſoſtome*** maketh the meaning of ἀντιλήψεις, to be *ut pauperes ſuſcipiamus*: and the meaning of κυβερνήσεις, he expounded to be *praeſſe ac curam gerere & res adminiſtrare ſpirituales*. The former belongs to ***Deacons***, the

the later to *ruling Elders*. Two anſwers are made to this place.

Firſt, D. *Field* anſwereth, that both here and Rom. 12.8. we reaſon *à genere ad ſpeciem affirmativè*; becauſe the Apoſtle mentioneth Governours whom he requireth to rule with diligence, therefore they were ſuch Elders as we plead for. *Whitgift* ſaith, the word *Governours*, 1. *Cor.* 12. 28. and *Rulers*, Rom. 12. 8. is generall, and may either ſignifie Chriſtian Magiſtrates, or Eccleſiaſticall, as Archbiſhops, Biſhops, or whatſoever other by lawfull authority are appointed in the Church.

Of the Church lib 5. cap. 26.

Anſwer to the Admon. p. 114. 115

We reply, firſt, if the Apoſtle had mentioned Rulers or Governours alone, then might we have indeed gueſſed, that hee meant a generall kinde onely, and no particular *Species*: But ſince he hath enumerate ſo many *Species*, as Apoſtles, Prophets, Teachers, gifts of miracles, gifts of tongues, &c. Surely they did either moſt ignorantly, or moſt maliciouſly erre who tell us, that the Apoſtle putteth a *Genus* in the midſt of ſo many *Species*. Secondly, the Apoſtle ſpeaketh onely of Eccleſiaſticall Officers, *God hath ſet ſome in the Church, &c.* What meant *Whitgift* to extend his words to the civill Magiſtrate. T. C. anſwered him, that hee could not diſtinguiſh betwixt the Church and Common-wealh, and ſo betwixt

Temporis illius conditio non de quibuſlibet præfectis Paulum loqui oſtendit quia tunc nulli erant pii Magiſtratus: ſed de Senioribus qui morum erant Cenſores ſaith Calvine upon Rom. 12.8.

the Church Officers, and the Officers of the Common-wealth. He replied, that he could not put any such difference betwixt them, that the one may not be comprehended under the Apostles word, as well as the other. *For I utterly renounce*, saith he, *that distinction invented by Papists, and maintained by you, which is, that Christian Magistrates governe not in the respect they be Christians, but in the respect they be men; and that they governe Christians, not in that they bee Christians, but in that they bee men: which is to give no more authority to the Christian Magistrate in the Church of Christ, then to the great Turke.* Let our opposites here goe by the eares among themselves: for M. *Io. Wemys* holdeth, that all Kings have alike jurisdiction in the Church, Infidels as wel as Christian Kings. We hold that Christian Magistrates governe their subjects, neither as Christians, nor as men, but as Magistrates; and they governe Christian subjects as Christian Magistrates. In like manner, Christians are governed by Magistrates, neither as they are Christians, nor as they are men, but as they are subjects, and they are governed by Christian Magistrates, as they are Christian subjects. And we all maintaine, that a Christian Magistrate hath great authority over Christian subjects, in things pertaining to the conservation

De Reg. prim. p. 123.

vation and purgation of religion, which the great Turke, nor no Infidell Magiſtrate hath, or can have, except hee become Chriſtian. But what doe I digreſſing after the impertinencies of a roving diſputer? for what of all this? Let Chriſtian Magiſtrates governe as you will, will any man ſay that his office is Eccleſiaſticall, or to be reckoned among Apoſtles, Prophets Teachers? &c. Wherefore

Let us proceed to the other anſwer, which is made by *Saravia*: Hee ſaith, that though the Apoſtle, 1 Cor. 12. 28. reckon out different gifts, wee need not for that underſtand different perſons, nor make different orders and offices in the Church, of the gifts of miracles, healing, tongues, and prophecies, which might bee, and were in one man. Whereupon he reſolveth the Text thus: that firſt, *Paul* ſetteth downe three diſtinct orders, Apoſtles, Prophets, and Teachers; then he reckoneth forth theſe common gifts of the holy Ghoſt (and the gift of governing amongſt the reſt) which were common to all the three. The Apoſtle ſaith not *Governours*, but *Governments*, ſaith *Sutcliffe*, to ſhew that he meaneth of faculties not of perſons. So ſaith *Bilſon* in like manner.

De diver. grad. miniſt. Evang. c. 11. p. 115.

De Presbyt. p. 87.

De perpet. Eccleſ. guber. cap. 10. p. 190, 191.

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the Apoſtle, are given of God for the common good and edification of the Church, *And God hath ſet ſome in the Church, &c.* Secondly, theſe gifts the Apoſtle conſidereth not, *abſtractivè à ſubjectis*; but as they are in men indued with them, as is plaine; for hee had before reckoned forth the gifts themſelves, verſ. 8.9.10. and if here he did no more but reckon them over againe, this were *actum agere.* He is now upon the uſe and exerciſe of theſe gifts by the office-bearers of the Church, verſ. 27. 29. And though the Apoſtle, verſ. 28. ſpeaketh concretively only of theſe three, Apoſtles, Prophets, and Teachers, yet the reſt muſt bee underſtood in the ſame manner, *per metonymiam adjuncti*; as when wee ſpeake of Magiſtracy and Miniſtery, for Magiſtrates and Miniſters; yea, the Apoſtle, verſ. 29. 30. ſo expoundeth himſelf where hee ſpeaketh *concretivè* of the ſame things whereof hee ſeemed before to ſpeake *abſtractivè.* Hee ſpeaketh of them as they are in different ſubjects, which is moſt evident both by his *protaſis* wherein hee did againe preſſe the ſame *ſimile* of the ſeverall offices, not of the ſame but of ſeverall members of the body; and likewiſe by the words immediately ſubjoyned, *Are all Apoſtles, are all Prophets? are all Teachers?* He would have ſtood here and ſaid no more, if he had meant to diſtinguiſh theſe three orders only as *Se-*

ravia

ravia expoundeth him. But now to make it plainely appeare that hee ſpoke of the other gifts alſo, as they are in different perſons, hee addeth, *are all workers of miracles? have all the gifts of healing? doe all ſpeake with tongues? doe all interprete?* where wee may ſupply, *are all for helps? are all for governements?* But can it bee for nought that the Apoſtle ommitteth theſe two, when he doth over againe enumerate all the reſt? verſ. 29. 30. It is as if he had ſaid, there are ſome who have none of thoſe ſpeciall, and (for the moſt part) extraordinary gifts. All are not Apoſtles, all are not Prophets, &c. for ſome have but common and ordinary gifts, to bee Deacons or Elders for government.

There is a great controverſie betwixt the *Ieſuits* and the *Doctors of Sorbon*, about the meaning of this place which we have now expounded. The Jeſuits in their *Spongia*, writen againſt the cenſure of the Univerſity of Paris, contend, that by *Helps* the Apoſtle meaneth, *the regular Chanoins*, who help the Biſhops and the Prieſts in preaching, miniſtering the Sacraments, and hearing confeſſions. By *governments* they ſay hee meaneth *ſecular Prieſts*, whom they call *parochi*. And becauſe hee putteth *helps* before *governments*, they inferre that *Regular Chanoins* are of an higher degree in the Hie- C. 5. ſect. 50.

 rarchy

rarchy of the Church, then *Secular Priests*. This they maintaine (good men) for the credit of their owne Polypragmaticke order, and not for the credit of other regular Chanoins, you may be ſure. The Doctors of *Sorbon* in their *Vindiciæ Cenſuræ*, written by
Pag. 378. 380. *Aurelius*, conſidered that they could not maintaine the meaning of the Apoſtle to bee onely of different gifts (which no doubt they had anſwered, if they had thought it to carry any probability) therefore they acknowledge that under theſe gifts are contained alſo the degrees of the Hierarchy. And that the Apoſtles words doe partly belong to the common gifts of the Spirit, as powers and interpretation of tongues, partly to the Hierarchy:
Pag. 362. &c. of this later ſort, they make *helps and governments*. And by *the helps* they ſeeme to underſtand Archdeacons and Curates.

But now to conclude this Argument alſo, thus it is: They who have the gift and office of governing the Church, and are different from them, who have other gifts and offices in the Church, can be no other then the ruling Elders, which we plead for.

But theſe κυβερνήσεις ſpoken of, 1 Cor. 12. 28. are ſuch. *Ergo.*

CHAP.

CHAP. VII.

Argument 5. from 1 Tim. 5. 17.

OUR fift Argument is taken from a cleer place, 1 Tim. 5.17. *Let the Elders that rule well bee counted worthy of double honour, especially they who labour in the word and doctrine.* Hence we reason after this manner.

These Churches which had some Elders that laboured not in the Word and Doctrine, yet were worthy of double honour for ruling well, had the very same ruling Elders we plead for.

But the Apostolicke Churches had some Elders that laboured not in the Word and Doctrine, yet were worthy of double honor for ruling well. *Ergo.*

The Argument riseth from the plaine Text, then which what can be cleerer? But there are some who would darken light, and lighten darkenesse.

Doctor *Field* propoundeth three glosses upon this place for the frustration of our Argument. First, that the guides of the Church are worthy of double honour, both in respect of governing and teaching, but especially for their paines in teaching; so that the Apostle Of the Church. l. 5. c. 26.

poſtle noteth two parts or duties of Presbyteriall offices, not two ſorts of Presbyters. This is manifeſtly againſt the Text, which ſpeaketh of officers, not of offices, of perſons, not of duties, for it is not ſaid, *eſpecially for labouring, &c.* But *eſpecially they that labour, &c.*

Secondly, he ſaith, among Elders ſome laboured principally in governing and miniſtering the Sacraments, ſome in preaching. So *Paul* ſheweth that he preached and laboured more then all the Apoſtles, but baptiſed few or none. And when *Paul* and *Barnabas* were companions, and their travells equall; yet *Paul* was the chiefe ſpeaker; ſo that though both were worthy of double honour, yet *Paul* eſpecially. But for anſwer to this. Firſt, we would gladly know what warrant had hee for expounding *Pauls* more abundant labouring then all the Apoſtles, of his preaching alone? Secondly, what warrant for ſuch a diſtinction of Elders, that ſome laboured principally in governing, ſome in preaching? Becauſe *Paul* preached and did not baptiſe, and becauſe hee was the chiefe ſpeaker when hee and *Barnabas* travelled together: therefore ſome Elders laboured in governing, ſome in preaching; good Logick forſooth. Thirdly, thought he that the Apoſtle

1 Cor. 15. 10. & 1. 14. Act. 14. 12.

poſtle did ever account ſuch Miniſters as doe not mainly labour in preaching to be worthy of double honour: nay, it was never the Apoſtles minde to allow any honour, farre leſſe double honour, either to non-preaching or to ſeldome preaching Miniſters. *Vt quid enim doctor appellatur niſi ut doceat?* ſaith *Chryſoſtome*. 4. Tell me whether is preaching a duty belonging to all the Miniſters of the Goſpell or not? if it be not the duty of all, then it is the duty of none, but a work of ſupererogation or ſome ſuch thing; for if ſome be not bound to preach by their Presbyteriall order and vocation, what is there that ſhould binde others to preach? The order and calling of a Preſbyter is alike common to all. Now if all bee bound to preach (which *Field* himſelfe ſeemeth to ſay in his firſt gloſſe, when hee calleth paines in teaching, a part or duty of the Presbyteriall office, no leſſe then governing) how ſhall thoſe Presbyters bee worthy of double honour, who doe not the duties of their Presbyteriall office, but leave the one halfe of them undone?

Hom. 15. in 1 Tim.

Thirdly, ſaith *Field*, there were ſome that remained in certaine places for governing of thoſe who were already wonne by the preaching of the Goſpell: others travelled with great labour, from place to place, to preach

Christ to such as had never heard of him. Both these were worthy of double honour, but especially the later, who did not build upon anothers foundation, nor governe those whom others had gained. The Poet would here answere:

Nan minor est virtus quam quærere parta tueri.

A Physitian would haply say, that to prevent the recidivation, is as much worth as the cure. But I answer, 1. There is no such opposition in the Text, but a subordination rather: for Elders who labour in the word and doctrine, are not contra-distinguished from Elders that rule well, but are declared to bee one kinde of Elders that rule well. 2. Though the Apostles and Evangelists travelled from one Countrey to another, to preach Christ to such as never heard of him; yet where hath hee read that some of these who were meere Presbyters (for of such speaketh the Text in hand) did so likewise? It rather appeareth from Act. 14. 23. Tit. 1. 5. that Elders were ordained in every Citie, there to remain at their particular charges, and no Elders finde we ordained by the Apostles *ordinatione vaga.*

We have heard D. *Fields* three glosses upon this place in question. *Sutcliffe* hath given us other three which are no better. First, he

De Presbyt. cap. 12.

saith,

ſaith, that if there bee here any diſtinction of ruling Elders, it is betwixt thoſe that labour more aboundantly and painfully, and betwixt thoſe that labour not ſo much. This gloſſe is alſo received by *Saravia*, by *Tilen*, by Biſhop *Hall* in his Aſſertion of Epiſcopacie by divine right. They tell us, it is one thing to preach, another thing to labour in the word and doctrine. *Anſw.* 1. It is not the miniſtery of the word, but the miniſtery of ruling which here the Apoſtle maketh common to both. 2. This expoſition alloweth not onely honour, but double honour, yea, a high degree of double honour to ſuch as take no paines in preaching, but are ſparing therein. 3. It maketh the Apoſtles ſpeech not to grow, but to fall: for οἱ κοπιῶντες when they have ſtretched it to the full, noteth onely great labour, whereas to rule well importeth both great labour and great prudence, dexterity, faithfulneſſe and charity beſide. 4. It maketh the laſt part of the ſpeech, *In the Word and Doctrine*, to bee ſuperfluous: for they hold that all the difference here, is in the meaſure or manner of labour, and no difrence *in re ſubjecta*. 5. All who have any charge in the Miniſtery, are called κοπιῶντες 1 Theſſ. 5.11. If they be at all faithfull, and worthy of honor, then do they labour, 1 *Cor.* 3.8. yea, in labouring, watch, as they that muſt give account, Heb. 13.27. 6. The Rhe-

De diver. grad. miniſ. Evang. c. 13. Paren. cap. 1:. pag. 38. Epiſcop. by div. right. pag. 219.

mists doe interpret the Apostle in the same manner. But *Cartwright* answereth them; If hee had meant any extraordinary labour, hee would rather have sayd, μοχθοῦντες, then κοπιῶντες: for other where hee useth μοχθος, as a degree of painful travell above κοπος, which is put for common labour, Rom. 16.12.

2 Cor. 11.27. 1 Thess. 2.9.

But it may be the next Commentary shall be better. The words, saith *Sutcliffe*, are to be rendred thus: *Let Elders that rule well, bee counted worthy of double honour, labouring greatly in the Word and Doctrine*: so that the later part of the speech is added exegetically, to shew who they bee that rule well, to wit, these who labour greatly in the word and doctrine. That the words are so to bee understood, he undertaketh to prove from the text it selfe: For, saith hee, one who purposeth to say in Greeke, *especially they who labour*, will not say, μάλιστα οἱ κοπιῶντες, but μάλιστα ὅι κοπιῶσιν. Thus changing the Participle into a Verb, and the prepositive article οἱ, which is written with an aspiration alone, into the subjunctive ὅι *cum accentu gravi*, for this answereth to the relative *who*, which the prepositive article doth never. Moreover, saith he, if the Apostle would have distinguished *Elders* into these that preach, and these that preach not, he would have added the adversative particle δὲ after μάλιστα: for μάλιστα δὲ signifieth indeed

especially

especially, but μάλιστα alone without δὲ, signifieth *greatly*, or *much*, as here it doth. *Answ.* 1. This reading of his is very harsh, and had need to sound better before it contradict both the English Translators, and the common current of Protestant Interpreters. 2. Hee is not so very well skilled in the Greeke, as hee boasteth to bee, unlesse he make the Apostle *Paul* a great *Ignoramus* in that language. For hee putteth a Participle with the Prepositive Article for a Verbe and a Relative, Philip. 4. 7. καὶ ἡ εἰρήνη τοῦ θεοῦ ἡ ὑπερέχουσα πάντα νοῦν, *and the peace of God which passeth all understanding.* So Eph. 4. 22. τὸν παλαιὸν ἄνθρωπον τὸν φθειρόμενον. The old man which is corrupt, and v. 24. τὸν καινὸν ἄνθρωπον τὸν κατὰ θεὸν κτισθέντα. *The new man which after God is created.* 1 Thess. 5. 12. εἰδέναι τοὺς κοπιῶντας ἐν ὑμῖν. *To know them which labour among you.* If *Sutcliffs* rule hold, we may not read it so, but thus, *To know them labouring among you.* So Apoc. 7. 14. οὗτοί εἰσιν οἱ ἐρχόμενοι ἐκ τῆς θλίψεως τῆς μεγάλης, *These are they who come out of great tribulation.* Many places of this kinde there are, which I need not cite. 3. An Ellipsis of the particle δὲ, is no error, no not in members of an opposition, as Col. 2. 23. much lesse in the distinction of a *Species* from the *Genus*. 4. μάλιστα without δὲ, is put for *especially*, as well as when it hath δὲ, 1 Tim. 4. 10. *who is the Saviour of all*

men, especially of those that beleeve. πιστῶν. This skilled Grecian would have us to conceive it thus: *God is the Saviour of all men who beleeve much*: and so it shall be a comfortlesse text for those of little faith.

Surely this man had need to be more happy in his third exposition, and now let us know what it is? He saith, that though wee could evince, that the Apostle here speaketh of some other Elders besides the Ministers of the word; yet wee shall have no advantage for our ruling Elders: for the Apostle being to prove that the Ministers of the word ought to be maintained, why might he not, saith he, use this generall proposition, That all Rulers, whether publicke or domestick, whether Civill or Ecclesiasticall, are to bee honored? When the Apostle speaketh of the chusing of Deacons, he will have them to bee such as have ruled their own houses well. This is his last refuge, and how weak, let any man judge. We have heard of many sorts of Rulers, but who did ever hear (before *Sutliffe* told it) of Domesticke or Civill Elders in the new testament that rule well. Had not the word Elders been in the Text, but the word προεστῶτες alone, he might have been the bolder to have given this sense. But since the Apostle speaketh not generally of them

them that rule well, but of Elders in the Church that rule well; this marreth his gloſſe altogether.

Bilſon giveth yet another ſenſe, That there were two ſorts of Elders, ſome who laboured in the word and doctrine, ſome who had the care of the poore: both were worthy of double honour; but eſpecially they who laboured in the word. *Anſw.* Deacons are diſtinguiſhed from Elders, Rom. 12. 1 Cor. 12. 1 Tim. 3. and by all antiquity. If wee make Deacons to bee Elders, and the care of the poore to be an act of ruling, then let us make what you will of the plaineſt Scriptures. De perpet. Eccl. gub. c. 10.

I finde in *Dideclavius* three other interpretations beſide the former: Firſt, *Bridges* ſaith, That by Elders who labour not in the word and doctrine, are meant rulers or inferiour Magiſtrates, choſen for compounding of civill controverſies. *Anſw.* 1. This is a ſtrange language to call civill Magiſtrates by the name of Elders. 2. The Apoſtle is ſpeaking of Eccleſiaſticall not of Civill office-bearers. 3. This expoſition maketh Paſtors who labour in the word and doctrine, to bee a ſort of civill Magiſtrates, becauſe they are a kinde of Elders that rule well. Altar Damaſc. cap. 12.

Next, Biſhop *King* expoundeth this place of old and infirme Biſhops, who cannot labour

bour in the word and doctrine. *Answ.* 1. The Apostle speaketh of Presbyters, not of Prelates. 2. To rule well importeth as great labour as preaching, and somewhat more, as I shewed before, so that they who cannot labour in preaching, cannot labour in ruling neither. 3. They who have eviscerate and spent themselves in the work of the Ministry, who have been (as long as they could stand upon their feet) valiant Champions for the truth, against the enemies thereof, who have served their time according to the will of God, without the staine of Heresie, Schisme, Apostasie, or unfaithfulnesse, when they become old and infirme, they ought not to be the lesse honoured (as the impious verdict of this Prelate would have it) but so much the more honour ought to be given to their hoare head found in the way of righteousnesse.

Another Glosse is given by the same *King*, namely, that the Apostle would have Ministers, not onely to live well, but to feed also by the word and doctrine. *Answ.* 1. The rising of the Apostles words doth not concern duties, but persons, as wee have said before. 2. To live well is not to rule well, unlesse wee will make all who live godly, to rule well. 3. Thirdly, this glosse doth still leave a double honor to Ministers that live well, though they do not preach.

We

We ſee now, our oppoſites have been trying all windes to fetch upon us: but here we leave them betwixt winde and wave: for this our laſt argument carrieth us away with full ſaile.

CHAP. VIII.

The teſtimony of Ambroſe *for ruling Elders vindicated.*

IF wee looke backe beyond the times of declining unto the firſt and pureſt times of the Church, wee ſhall finde ruling Elders to be no new fangled device at *Geneva*; but that the primitive government and policy of the Church hath beene in them reſtored. There is one place of *Ambroſe* which cleereth it ſufficiently. He writing on 1 Tim. 5. 1. *Rebũke not an Elder*, ſaith, *Vnde & Synagoga, &c. Wherefore both the Iewiſh Synagogue, and after the Church had Senior or Elders, without whoſe counſell nothing was done in the Church: which by what negligence it grew out of uſe, I know not, except perhaps by the ſloth, or rather by the pride of the teachers, whiles they alone will ſeeme to be ſomething.* This ſentence is alſo cited in *Gloſſa ordinar.* And it ſheweth

plainely that as the Jewiſh, ſo the Chriſtian Church had ſome Elders, who though they were not Teachers of the Word, yet had a part of the government of the Church upon their ſhoulders. But that this came into deſuetude, partly through the ſloth of the teachers and Miniſters of the Word, whiles they were not carefull to preſerve the ordinances of God, and the right way of governing the Church; and partly through their pride whilſt they would doe all by themſelves, and have no conſorts,

Vtinam modo noſtra redirent
In mores tempora priſcos.

Epiſcop. by div. right. p. 226.

But let us heare a triple divination which the non-friends of ruling Elders give forth upon this teſtimony. Firſt, Biſhop *Hall* telleth us that it is not *Ambroſe*, but a counterfeit who wrote that Commentary upon the Epiſtles, and for this he alledgeth our owne *Parker* againſt us. The truth is, *Bellarmine* and *Sculting ius* taught him this anſwer: The place of *Parker* he citeth not in the Margine; but I believe the place he meaneth of is *de poſit. Eccleſ. lib.* 2. *cap.* 13. where he holdeth indeed, that the author of theſe Commentaries was not *Ambroſe*, Biſhop of *Millaine*; but

but ſheweth withall, that he nothing doubteth of the Catholike authority of the Commentaries themſelves; *Hoc vero, &c.* *This* ſaith he, *may befall the beſt Author whoſoever he be, that ſome may aſcribe his workes to another. But that hee lived before the Councell of Nice, this addeth weight to his teſtimony of the Seniors.* Theſe Commentaries are commonly cited by our Divines, as *Ambroſe's.* I finde them in *Eraſmus* his edition, both at *Collen*, 1532. and at *Paris*, 1551. acknowledged to bee the genuine workes of *Ambroſe*, only the Prefaces before the Epiſtles are called in queſtion. They are alſo acknowledged in the edition of *Coſterius* at Baſile, 1555. *Sixtus Senenſis* aſcribeth them to *Ambroſe* in like manner. The edition of *Collen*, 1616. hath an obſervation prefixed, which repudiateth many of his workes, and theſe Commentaries among the reſt. Yet the laſt edition at Paris, 1632. hath expunged that obſervation, which they had not done if they had approved the ſame: Howſoever that ſame obſervation maketh thoſe Commentaries to bee as old as 372. or 373. *Perkins* in his preparative before his demonſtration of the probleme, calleth in queſtion the Commentary upon the Hebrewes, but no more. *Rivet* ſheweth that theſe who reject them, doe nei- Critic. ſacr. l. 3 c. 18.

ther give good reaſons for their opinion; neither yet doe agree among themſelves. *Bellarmine* aſcribing them to *Hilarius Diaconus*, *Maldonat* to *Remigius Lugdunenſis*, the Cenſors of *Louaine* to the Author of the queſtions of the old and new Teſtament.

P. 134. I beleeve that *Cooke* in his *Cenſura Scriptorum veterum*, hath touched the true cauſe why theſe Commentaries are ſo much called in queſtion, which is the perfidiouſneſſe of Papiſts, who when they finde any thing therein which they imagine to bee for their advantage, then they cry, Saint *Ambroſe* ſaith thus, but when they finde any thing therein which maketh againſt them, then they ſay as *Hall* doth, It is not *Ambroſe*, but a counterfeit; I muſt confeſſe that *Hall* is wiſer in diſclaiming the ſame, then his fellowes in acknowledging them: yet becauſe he found that the Teſtimony may bee of force, though not *Ambroſe's*, and beſide had no proofe for this alledgeance, he durſt not truſt to it, but thought upon another anſwer.

De gub. Eccl. cap. 11. p. 210. De Presbyt. c. 13. Of the Church. lib. 5. cap. 26.

To proceed then to their next conjecture. *Bilſon*, *Sutcliffe*, and Doctor *Field*, tell us that *Ambroſe* meant of Biſhops, who excluded other Clergy men from their conſultations; and that by the name of Teachers hee might fitly underſtand the Biſhops, ſeeing none

none but they have power to preach in their owne right, & others but onely by permission from them. This is a moſt deſperate ſhift for a bad cauſe. For firſt, there is no warrant neither from Scripture nor Antiquity to diſtinguiſh Biſhops from other Miniſters of the Word by the name of Teachers. Secondly, as for that reaſon alledged that none but Biſhops have power to preach in their owne right, it is contrary to that which *Field* himſelfe ſaith in the very next Chapter, where he holdeth that Presbyters are equall with Biſhops in the power of order, and that they may preach and miniſter the Sacraments by vertue of their order, as well as Biſhops. Thirdly, neither did the adviſing of Biſhops with Presbyters ceaſe in *Ambroſe* his time. For as *Field* himſelf noteth out of the fourth Councell of *Carthage* (which was holden ſhortly after *Ambroſe* his writing hereof) all ſentences of Biſhops were declared to bee void, which were not confirmed by the preſence of their Clergy. Let us alſo heare *Hierome* and *Chryſoſtome*, (who lived both in the ſame age with *Ambroſe*) *what doth a Biſhop*, ſaith *Hierome*, *ordination excepted, which a Presbyter may not doe? By ordination alone*, ſaith *Chryſoſtome*, *are the Biſhops higher, and this onely they ſeem to have more then Prebyters.*

C. 27.

Epiſt. ad Evag.

In 1 Tim. hom. 10.

Which were not true if Biſhops had then governed the Churches by themſelves, excluding the counſell and advice of Presbyters: Yea, though ordination was the only one thing which made the difference. *Ambroſe* himſelf ſheweth that Presbyters in Egypt did alſo ordain when the Biſhop was not preſent.

In Epheſ. 4.

We have heard *Sutcliffe* and Doctor *Field*, but *Saravia*, and after him *Tilen*, and after them both *Hall*, hath forged another gloſſe upon the place of *Ambroſe*. They boldly averre that the Elders without whoſe counſell *Ambroſe* ſaith nothing was done in the Church, were Elders by age and not by office. We reply. Firſt, falſhood cannot keepe its feet. Before we heard *Saravia* maintaine that the Seniors among the Jewes, who ſate in Eccleſiaſticall Aſſemblies with the Prieſts, and had equall ſuffrages therein with the Prieſts, were their Rulers and their Magiſtrates, now he telleth us they were old men, Elders by age only, not by office. Secondly, in his defence of that ſame twelveth Chapter againſt *Beza*, hee acknowledgeth that the Chriſtian Church had other Elders by office, beſides the Miniſters of the Word. *The Church* ſaith hee, *hath had Elders ſome by divine inſtitution, as the Paſtors of Churches, and Miniſters of the Word of God.*

De diverſ. gra. miniſt. Evang. c. 12. Parær. c. 11. p. 42. Epiſc. by div. right. p. 227.

Others

Others by condition of age or office, or eſtimation, or learning and experience. How could hee then aſtrict the words of *Ambroſe* to Elders by age onely? 3. Where was it ever read or heard, that old men, who had no Eccleſiaſticall office, were taken into the aſſemblies of the Church, ſo that nothing was done without their counſell? 4. The *Elders* of whom *Ambroſe* ſpeaketh, are oppoſed to the *Teachers*, therefore they are not *Elders* by *age*: for ſuch are ſome of the *Teachers* themſelves. 5. *Ambroſe* indeed in his preceding words had expounded the place of the Apoſtle, 1 Tim. 5. 1. of *Elders* by age: but thereupon he tooke occaſion to ſpeake of *Elders* by *office* alſo. 6. That the *Elders* which wee read to have been in the Jewiſh Church, were not *Elders* by *age*. *Baſil* ſheweth plainly, whoſe teſtimony we ſhall heare by and by.

CHAP. IX.

Other Teſtimonies of Antiquity.

THus having cleared the place of *Ambroſe*, come we now to other teſtimonies of the Ancients. *Tertullian* in his *Apologeticke* againſt the nations, ſpeaking of the Meetings and Aſſemblies of Chriſtians, Cap. 39.

ſtians, ſheweth, that beſides other things done therein, they had alſo corrections, cenſures, and excommunication, and that in the exerciſe of this diſcipline, *Præſident probati quique Seniores, honorem iſtum non pretio ſed teſtimonio adepti: with us doe ſit all the approved Seniors, as preſidents or rulers, having obtained this honour not by price, but by a good teſtimony.* *Cyprian* in his Epiſtles doth often proteſt, that from the beginning of his Biſhopricke he did all things by common conſent and advice both of his Clergie & people. Will any man thinke, that in ordination, excommunication, reconciliation of penitents, and ſuch like things whereof *Cyprian* ſpeaketh in theſe places, he ſought the counſell and advice of the whole Congregation, and of all and every one therein? or rather that the people gave their counſell and conſent by the *Elderſhip* repreſenting them? Surely, this doing of all things with the advice and counſell of the whole, both Clergy and People, he otherwhere ſheweth to have beene nothing elſe, but the doing of all things by the advice & counſell of the Presbytery; which had not been ſo, if there had not been in the Presbytery ſome of all ſorts to repreſent the reſt.

L. 1. ep. 8.
l. 2. ep. 5.
l. 3. ep. 10.
ibid. ep. 11.

Lib. 3. ep. 11. *Omni actu*, ſaith he, *ad me perlato placuit contrahi Presbyterium, &c. ut firmato conſilio quid*

quid obſervari deberet conſenſu omnium ſtatueretur.

Epiphanius writing to *Iohn*, Biſhop of *Ieruſalem*, concerning the tearing of a vaile which hee had ſeene in the Church of a village called *Anablatha*, with the image of Chriſt, or ſome Saint, upon it, and concerning another vaile which he had ſent for it, intreateth him to give order to the Elders of that place to receive the vaile from the bearer. It is not to bee thought there were many preaching Elders in a ſmall village, hee ſpeaketh in the plurall, *Precor ut jubeas Preſbyteros ejuſdem loci &c.*

Baſilius Magnus in his Commentary upon Iſa. 3. 2. where the Lord threatneth to take away from Iſrael the Ancient, or the Elder, ſheweth from Numb. 11. 16. how warily ſuch Elders were to be choſen, and that their gifts, not their age, made them Elders, he proveth from Dan. 13. 50. (which is the hiſtory of *Suſanna*) where the Jewiſh Elders at Babylon ſay to young *Daniel*, *Come ſit downe among us, and ſhew it us, ſeeing God hath given thee the honour of an Elder.* Then he addeth, *Ad hunc, &c. After this manner ſometimes it happeneth, that youths are found in honour to be preferred to theſe Elders who ſlothfully and*

negligently lead their life. Those Elders then among the Iewes were falsly so called: for God tooke away as the man of warre, and the Prophet, so the Elder from the people of the Iewes. Therefore let the Church pray, that the Elder (worthy to be so called) be not taken away from her self. The whole tenor of his discourse importeth, that the Christian Churches had such Elders as wee read to have been in the Jewish Church, whereof *Daniel* was one. And of them hee seemed to mean a little before, *Habet &c. The Church also hath Iudges, who can agree brother and brother.*

In 1 Tim. hom. 10.

Chrysostome compareth the Church to a house, because as in a house there are wife, children and servants, and the care or government of all is incumbent to the master of the family: So is it in the Church, wherein, beside the ruler of the same, nothing is to bee seen, but as in ware wife, children, and servants, εἰ δὲ γυναικὸς ἔχει τῆς ἀρχῆς ὁ τῆς ἐκκλησίας προεστὼς, ἄρχει καὶ αὐτὴ τῶν γυναικῶν. *But if the Governour of the Church* saith he, *hath fellows or consorts in the government thereof, so hath the man also the wife to be his consort in the government of his house.* If it be said, that by the Ruler of the Church, he meaneth the Bishop, and by his consorts preaching Presbyters, who

are

are the Bishops helpers in the government of the Church; I answer, If wee understand by προεστως the Bishop, then wee make *Chrysostome* contradict himselfe: for in his next Homily hee sheweth plainly, that *Presbyters* have προστασίαν τῆς ἐκκλησίας, the ruling of the Church as well as Bishops, and that the whole purpose of his former Homily agreed to *Presbyters* no lesse then *Bishops*. Now then, who were the consorts which Pastors of Churches, or preaching Elders had in the government of the Church? Could they bee any other then Ruling Elders? Hom. 11.

Hierome upon that place of Isaiah, saith: *Et nos habemus in Ecclesia Senatum nostrum, cœtum Presbyterorum: cum ergo inter cætera etiam senes Iudea perdiderit, quomodo poterit habere concilium quod proprie Seniorum est.* And what sense shall we give to these words, unlesse we say it is imported that both the Jewish and the Christian Church had such an Eldership as we plead for. Else why did both hee, and *Basil* make such a parallell betwixt the Jewish and the Christian Church in the point of Elders? Surely, if we understand by the Elders of the Christian Church whereof they speake, the Ministers of the Word alone, wee must also understand by the Elders of

the Jewiſh Church, whereof they ſpeake, the Prieſts, which no man will imagine.

L. 7. c. 23. *Euſebius* in his Hiſtory citeth *Dionyſius Alexandrinus*, relating his diſputes with the *Chiliaſts* after this manner: *When I was at Arſenoita where thou knoweſt this doctrine firſt ſprung, &c. I called together the Elders and Teachers inhabiting thoſe villages, there being preſent alſo as many of the brethren as were willing to come, and I exhorted them publikely to the ſearch of this doctrine, &c.* By the Teachers here are meant the Paſtors or Miniſters of the Word, who are moſt frequently called by the Fathers Teachers, or Doctors: neither can it bee ſuppoſed that there were any Teachers beſides the Paſtors in theſe rurall villages, which notwithſtanding we ſee had beſide their Paſtors or Teachers, Elders alſo.

Auguſtine writeth his 137. Epiſtle to thoſe of his owne Church at *Hippon*, whom he deſigneth thus: *Dilectiſſimis fratribus, clero, ſenioribus & univerſæ plebi Eccleſiæ Hipponenſis cui ſervio in dilectione Chriſti. To my welbeloved brethren the Clergy, the Elders, and the whole people of the Church at Hippon, whom I ſerve in the love of Chriſt.* Hee putteth Elders, or Seniors in the middle betwixt the Clergy

Clergy and the people as distinct from both, and yet somewhat participant of both.

Isidorus Hispalensis speaking of the prudence and discretion, which Pastors should observe in teaching of the Word, giveth them this advise among others: *Prius docendi sunt Seniores plebis ut per eos infra positi facilius doceantur. The Elders of the people are to bee first taught, that by them such as are placed under them may be taught the more easily.* Sent. l. 3. c. 43.

Origen speaking of the tryall of such as were to bee admitted members of the Church, saith, *Nonnulli præpositi sunt, &c. There are some Rulers appointed who may enquire concerning the conversation and manners of these that are admitted, that they may debarre from the Congregation such as commit filthinesse.* Contra. Celf. lib. 3.

In the acts of the 5. Councell of *Toledo* according to the late editions, we read that *Cinthila* (whom others call *Chintillanus*) came into that Councell, *cum optimatibus & Senioribus palatii sui.* But *Lorinus* hath found in some ancient copy, *Cum optimatibus & Senioribus populi sui, with the Nobles and the Elders of his people.* I would know who were these Elders of the people distinguished from the Nobles. C. 1. In Act. 4. 5.

The Councell of Carthage held An. 407. Can. 6. maketh mention of Seniors, who were expected from new Germany to come to the Councell, and unto whom the Councell remitted the election of a part of the Judges, who should decide the cause of *Maurentius*. In actis purgationis Cæciliani & Fælicis, we reade, *Episcopi, Presbyteri, Diaconi, Seniores*. Againe, *Clerici & Seniores Cirthensium*. Sundry letters were produced and read in that conference; One directed *Clero & Senioribus*: another *Clericis & Senioribus*. The letter of *Purpurius* to *Sylvanus*, speaketh thus, *Adhibete conclericos & Seniores plebis Ecclesiasticos viros & inquirant diligenter quæ sint istæ dissensiones*. August. lib. 3. contra Crescon. c. 56. *Peregrinus presbyter & Seniores Ecclesiæ Musticanæ regionis*. Againe, Serm. 19. de verb. Dom. Cum ob errorem aliquem à Senioribus arguuntur & imputatur alicui de illis cur Ebrius fuerit, &c. Epistola Synodalis Concilii Carbarsufficani apud eundem August. enar. in Psal. 36. Necesse nos fuerat Primiani causam, quem plebs sancta Carthaginensis Ecclesiæ Episcopum fuerat in ovile Dei sortita, Seniorum literis ejusdem Ecclesiæ postulantibus audire atque discutere. Optat. lib. 1. adv. Parmen. erant Ecclesiæ ex auro & argento quam plurima ornamenta, &c. quasi (others read quas) fidelibus Senioribus commendavit. And after, Convocantur supra memorati Seniores, &c. Gregor. M. lib. 11. Ep. 19. Si quid de quocunque Clerico ad aures tuas pervenerit, quod te juste possit offendere, facile non credas, sed præsentibus Ecclesiæ tuæ Senioribus diligenter est perscrutanda veritas, & tunc Qualitas rei poposcerit, Canonica districtio culpam feriat delinquentis. Epist. Synodalis Concil. Pictavien. apud Gregor. Turon. l. 10. c. 16. de sponsalibus quoque ait coram Pontifice Clero vel Senioribus pro nepte sua orphanula arras accepisse.

These things may suffice from antiquity to give some evidence that the office of ruling Elders is not *Calvins* new fangled devise at *Geneva*, as our adversaries are pleased to call it: but for further confirmation of this point, *Voetius disp. 2. de Senio.* and before him *Justellus in annot. & notis in cod. Can. Eccles. Afric. Can.* 100. hath observed sundry other pregnant testimonies from antiquity for ruling Elders, especially out of these notable records *Gesta purgationis Cæciliani & Fælicis*, to be seen in the Annals of *Baronius*, An. 103. and in *Albaspinæus* his edition of *Optatus*. These testimonies I have here set downe in the Margine.

From

From which paſſages it is apparant, that in the dayes of *Ambroſe* theſe Seniors were neither in all places, nor altogether growne out of uſe; but that both in the Eaſterne and Weſterne Churches, manifeſt footſteps of the ſame remained: neither is his teſtimony before alledged, repugnant hereunto: for we may underſtand his meaning to be either that in ſome places, or that in ſome ſort, they were growne out of uſe, becauſe peradventure the Teachers beganne to doe ſome-things without their counſell and advice which in former times was not ſo. *Bilſon* anſwereth two waies to the teſtimony from the 137. *Epiſt. of Auguſt.* and behike hee would have anſwered in the ſame manner to theſe other teſtimonies, he ſaith we may underſtand by theſe Seniors either the better part of the Clergy, or the Senators & Rulers of the City. That they were neither Biſhops nor preaching Presbyters, nor Deacons, it is manifeſt, for they are diſtinguiſhed from all theſe, *In act. purgat. Cæcil. & Fel.* and they are called by *Iſiacre* and *Purpurius*, *Seniores plebis*. Beſides, it were ſtrange if *Auguſt.* Biſhop of *Hippo* writing to his Clergy, ſhould diſtinguiſh either the Deacons from the Presbyters by the name of the Clergy which was common to both, or ſome preaching Presbyters

De gubern. Eccleſ. c. 11. p. 225.

byters from other preaching Presbyters, by the name of Seniors. On the other part, that they were not Magistrates of Cities, it is no lesse plaine: for they are called *Seniores Ecclesiæ*, and *Ecclesiastici viri*, they instructed the people, and had place in judging of causes Ecclesiasticall.

Ibid. pag. 253. But elsewhere *Bilson* taketh upon him to prove, that those of the Clergie who were by their proper name called Presbyters, were also called *Seniores*, as those who came neerest to the Bishop in degree, wisedome, and age. And this he proveth by a testimony of *Ambrose*. Offic. l. 1. c. 20. *Viduarum ac virginum domos nisi visitandi gratia Iuniores adire non est opus, & hoc cum Senioribus, hoc est cum Episcopo, vel si gravior est causa cum Presbyteris.* Answ. 1. Here the Seniors are the Bishop, which is neither good sense, nor any thing to his purpose. 2. Hee hath left out a word, without which the sentence cannot be understood, and that is *vel*: *Ambrose* saith, *Hoc est vel cum Episcopo, &c.* and so the words may suffer a threefold sense, for either *Seniores* is here a name of age or of office. If it bee a name of age, as may bee presumed by the opposition thereof to *Iuniores*, then the meaning of *Ambrose* is, that young men should not goe into the houses of virgins or widowes, except it bee with some

ſome men of age, and the ſe to bee the Biſhop or the Presbyters. If it be a name of office, then may wee either underſtand, that by the Presbyters he meaneth ruling Elders, and by the Biſhop the Paſtor of any particular Church, (for if *Whitaker* be not deceived, Paſtors have the name of Biſhops, not onely in Scripture, but in the ancient Church alſo:) Or that hee comprehendeth under the order of Elders, not onely the Preaching Presbyters, but the Biſhop alſo, who was chiefe among them. By the firſt ſenſe *Biſſon* doth gaine nothing; by the other two hee hath worſe then nothing: for any of them deſtroyeth his chiefe grounds.

Controv. 3. de Concil. quæſt. 3.

CHAP. X.

The conſent of Proteſtant Writers, and the confeſſion of our oppoſites for ruling Elders.

THE office of Ruling Elders is not onely maintained by *Calvin*, *Beza*, *Cartwright*, *Ameſe*, *Bucerus*, and others whom our oppoſites will call partiall Writers, let him who pleaſeth read the commentaries of *Martyr*, *Bucer*, *Gualther*, *Hemmingius*,

minginius, *Piſcator*, *Pareus* upon Rom. 12. 8. 1 Cor. 12. 28. *Aretius* on Act. 14. 23. *Zepper. de Polit. Eccleſ. l. 3. c. 1. & 12. Bullinger* on 1 Tim. 5. 17. *Arcularius* on Act. 14. 23. *Catal. Teſt. verit. col* 103. *Oſiand. tom. 1. l. 4. c. 11. Chemnit. exam part. 2. pag. 218. Gerard. loc. Theol. tom. 6. pag. 363. 364. Muſcul. loc. com. de Eccleſ. c. 5. Bucan. loc. com. loc* 42. *Sueta-nus de Diſcipl. Eccleſ. part. 4. c. 3. Polanus Synt. l. 7. c. 11. Zanchius in 4. præcep. col. 727. Iunius animad. in Beller tom 5. l. 1. c. 2. Danæus de Polit. Chriſt. l. 6 p. 452. Alſted. Theol. caſ. pag. 518. 520. Sopingius ad benam fidem Sibrandi. pag. 253. &c.* The Profeſſours of Leyden, *Synt. pur. Theol. Diſp.* 42. and ſundry others, whoſe teſtimonies I omit for brevities cauſe, it is enough to note the places. The Author of the Aſſertion for true and Chriſtian Church policie, pag. 196. 197. citeth for ruling Elders, the teſtimony the Commiſſioners of King *Edward* the ſixt, authoriſed to compile a booke for the reformation of Lawes Eccleſiaſticall; among whom were the Archbiſhop of Canterbury, and the Biſhop of Ely. They ſay, *Let the Miniſter going apart with ſome of the Elders, take counſell, &c. Voetius* citeth to the ſame purpoſe, *Marloratt, Hyperius, Fulke, Whittaker, Fenner, Bunnius, Willet, Sadeel, Lubbertus, Trelcatius* (both

(both the one and the other) yea *Socinus* and the Remonſtrants.

Beſides we have for us the practiſe of al wel reformed Churches, and the Confeſſions of the *French*, the *Belgicke*, and the *Helvetitke* Churches to be ſeene in the harmony of Confeſſions.

But what will you ſay if the adverſaries of ruling Elders be forced to ſay ſomewhat for them? *Whitgift* confeſſeth not onely that our diviſion of Elders, into preaching Elders and ruling Elders, hath learned patrons; but alſo that the Chriſtian Church when there was no Chriſtian Magiſtrate had governing Seniors: and elſewhere he ſaith, *I know that in the Primitive Church, they had in every Church Seniors, to whom the government of the Congregation was committed.* *Saravia* lendeth them his word likewiſe, *Quod à me, &c. Which is not diſputed by mee in that meaning that the Belgicke Churches, or any other which doe with edification uſe the ſervice of theſe Elders, ſhould raſhly change any thing, before that which is better bee ſubſtitute.* Againe, ſpeaking of the government of ruling Elders; he ſaith, *Quod ut, &c. Which as I judge profitable and good to bee conſtitute in a Chriſtian Church and Common-wealth, ſo I affirme no Church, no Common-wealth to bee*

Def. tract. 17. cap. 1.

Anſwer to the Admonit. p. 114.

Ubi ſupra cap. 9. p. 104.

Ib. cap. 11. p. 118.

bound thereto by Divine Law: except perhaps neceſsity compell, or great utility allure, and the edification of the Church require it. Loe here the force of truth ſtruggling with one contrary minded. Hee judgeth the office of ruling Elders, profitable and good, yet not of divine right; yet hee acknowledgeth that neceſſity, utility, and the edification of the Church, maketh us tyed to it even by divine right. But if it be profitable and good, why did he call in queſtion the neceſſity, at leaſt the utility and the edification of it? can one call in queſtion the utility of that which is profitable? he would have ſaid the truth, but it ſtucke in his teeth, and could not come forth. *Sutlivius de concil. lib. 1. cap. 8.* ſaith that among the Jewes, *Seniores tribuum*, the Elders of the Tribes did ſit with the Prieſts in judging controverſies of the Law of God. Hence hee argueth againſt *Bellarmine*, that ſo it ought to bee in the Chriſtian Church alſo, becauſe the priviledge of Chriſtians is no leſſe then the priviledge of the Jewes. *Camero* tells us, that when the Apoſtle, 1 Cor. 6. reproveth the *Corinthians*, for that when one of them had a matter againſt another, they brought it not to the Saints to bee judged by them; hee meaneth not by the Saints, the promiſcuous multitude, *ſed eos*

Prælect. tom. 1. p. 34.

qui

qui in Ecclesia constituti erant, ut vacarent gubernationi Ecclesiæ: that is, *those who were ordained in the Church, to give themselves to the government of the Church.* My Lord *Craigtonne* finding the strength of that Argument, that if beside the Ministers of the Word, other grave and wise Christians may be present in the greatest Assemblies and Councels of the Church, why not in Presbyteries also? answereth, that indeed it is not amisse that the wiser sort among the people be joyned as helpers and assistants to the Pastors, providing that this their auxiliary function be not obtruded as necessary. This is somewhat for us; but we say further, if it be necessary in Oecumenicke Councells (for no lesse doe the Arguments of our Divines in that question with the Papists conclude) then is it necessary in Presbyteries also. De regis primatu lib. 1. p. 68.

CHAP. XI.

Doctor Fields *five Arguments against ruling Elders answered.*

HIS first Reason that moveth him to thinke there were never any such in the

Church, is becauſe Biſhops, Presbyters, that preach and miniſter the Sacraments, and Deacons, howſoever they much degenerated in later times, yet all ſtill remained in all Chriſtian Churches throughout the World, both Greeke and Latine, in their names and offices alſo in ſome ſort. But of theſe ruling Elders, there are no foot-ſteps to bee found in any Chriſtian Church in the World, nor were not for many hundred yeares, whereas there would have beene ſome remaines of theſe as well as the other, had they ever had any inſtitution from Chriſt or his Apoſtles, as the other had. To this wee anſwer. 1. If the Chriſtian Churches throughout the World had wanted ruling Elders longer then they did, yet preſcription can be no prejudice to the ordinance of God. 2. After that the golden age of the Apoſtles was ſpent and gone, exact diligence was not taken, to have the Church provided with well qualified Miniſters, but many unfit men, yea, ſundry hereticks entred into that ſacred vocation, whereby it came to paſſe that corruption and errour overflowed the Churches, as both *Euſebius* proveth from *Ægeſippus* and *catalogus teſtium veritatis* from *Irenæus*. Might not this be the cauſe of changing the office-bearers and

Eccleſ. hiſt. lib. 3. c. 32. 35. Col. 103.

and government of the Church. 3. In the Roman, yea in Prelaticall Churches there are ſcarce any foot-ſteps at all of the offices of preaching Presbyters, and Deacons, as they were inſtituted by the Apoſtles. The Apoſtles ordained Presbyters to preach the Word, to miniſter the Sacraments, to governe the Church, and to make uſe of the keyes. But the Popiſh and Prelaticall Presbyters have not the power of the keyes, nor the power of Church government, for it is proper to their Prelates; as for the other two they are common to their Deacons, for they alſo doe preach and baptiſe. The office of the Popiſh Prieſt ſtandeth in two things, to conſecrate and offer up the body of Chriſt, and to abſolve the faithfull from their ſinnes: See *Conci. Triden. de ſacr. Ordin. cap. 1. Hier. Savanarola. Triumph. cruc. lib. 3. cap. 16.* And the ſame two make up the proper office of the Prieſt by the order of the Engliſh Service Booke. As touching Deacons, they were ordained by the Apoſtles for collecting receiving, keeping, and diſtributing of Eccleſiaſticall goods for maintaining of Miniſters, ſchooles, Churches, the ſicke, ſtranger, and poore. The Popiſh and Prelaticall Deacons have no ſuch office, but an office which the Apoſtles never appointed to them; for they

they had no preaching nor baptiſing Deacons. *Philip* preached and baptiſed, not as a Deacon, but as an Evangeliſt, Acts 21.8. Beſides at the time of his preaching and baptiſing, hee could not have exerciſed the office of his Deaconſhip, by reaſon of the perſecution, which ſcattered rich and poore and all, Acts 8. 1. that which *Steven* did, Acts 7. was no more then every believer was bound to doe, when he is called to give a teſtimony to the truth, and to give a reaſon of his faith and practice. 4. Others of the faithfull, beſides the Miniſters of the Word, have beene admitted unto Councells and Synods by many Chriſtian Churches throughout the World, as is well knowne; and this is a manifeſt foot-ſtep of the government of ruling Elders. 5. Nay in the Church of *England* it ſelfe, at this day, there are foot-ſteps of ruling Elders, elſe what meaneth the joyning of Lay-men with the Clergy in the high Commiſſion to judge of matters Eccleſiaſticall? *Saravia* ſaith, the Churchwardens which are in every Pariſh of *England*, have ſome reſemblance of ruling Elders, whoſe charge appointed by law, he ſaith, is to collect, keepe, and deburſe the goods and revenues of the Church, to preſerve the fabricke of the Church, and all things pertaining thereto

Ubi ſupra, cap. 12. p. 134.

thereto ſure and ſafe, to keep account of baptiſmes, mariages, and burials, to admoniſh delinquents & other inordinate livers, to delate to the Biſhop or his ſubſtitutes, ſuch as are incorrigible, & ſcandalous, being ſworn thereto: alſo to obſerve who are abſent frō the praiers in the Church upon the Lords dayes, & upon the holy dayes, & to exact from them the penalty appointed by law, and finally to ſee to quietnes & decency in time of divine ſervice.

Doctor *Fields* ſecond reaſon is for that *Paul*, 1 Tim. 3. ſhewing who ſhould be Biſhops and Miniſters, who Deacons, yea, who Widowes; paſſeth immediatly from deſcribing the qualitie of ſuch as were to be Biſhops and Miniſters of the Word and Sacraments, to the Deacons, omitting theſe ruling Elders that are ſuppoſed tō lye in the midſt betweene them, which he neither might nor would have omitted, if there had beene any ſuch. To this the anſwer is eaſie. 1. As we collect the actions and ſufferings of Jeſus Chriſt, and the inſtitution of the laſt ſupper, not from any one of the Evangeliſts, but from all of them compared together, for that one toucheth what another omitteth; ſo doe we judge of the office-bearers of the Church not from 1 Tim. 3. only, but from the collation of that and other places of Scripture of that kind. Ruling Elders are found in other places, and in the fifth Chapter of that

ſame Epiſtle, though not in the third. 2. Neither were there any abſurdity to hold, that the Apoſtle in that third Chapter comprehendeth all the ordinary office-bearers in the Church under theſe two Biſhops and Deacons, and that under the name of Biſhops, he comprehendeth both Paſtors, Doctors, & ruling Elders: for as al theſe three are overſeers, ſo to them all agree the qualities of a Biſhop here mentioned, whereof there is only one, which ſeemeth not to agree to the ruling Elder, *viz.* that he ſhould be apt to teach, verſ. 2. Yet *Beza* maintaineth againſt *Saravia*, that the ruling Elder teacheth as wel as the Paſtor, only the Paſtor doth it publickly to the whole congregation; the ruling Elder doth it privately, as he findeth every one to have need. And we have ſhewed before that as a private Chriſtian is bound in charity to teach the ignorant, ſo the ruling Elder is bound to doe it *ex off cio*.

De div. gra. miniſt. cap. 9.

The third reaſon, which Doctor *Field* bringeth againſt us, is, for that neither Scripture nor practice of the Church, bounding the government of ſuch governours, nor giving any direction how farre they may goe in the ſame, and where they muſt ſtay, leſt they meddle with that they have nothing to doe with, men ſhould bee left to a moſt

dangerous

dangerous uncertainety in an office of ſo great conſequence. Our anſwer to this is: 1. Wee have ſhewed already the certaine bounds of the power and vocation of ruling Elders. 2. It was not neceſſary that the Apoſtle ſhould ſeverally ſet downe Canons and directions: firſt, touching Paſtors, then Doctors; laſtly, ruling Elders, ſince they are all Elders, and all members of the Eldership or Presbytery; it was enough to deliver canons and directions common to them all, eſpecially ſince the duties of ruling Elders are the ſame which are the duties of Paſtors, only the Paſtors power is cumulative to theirs, and over reacheth the ſame in the publicke miniſtery of the Word and Sacraments, and ſo doth *Paul* difference them, 1 Tim. 5. 17.

His fourth reaſon is, becauſe we fetch the paterne of the government of ruling Elders, from the Sanedrim of the Jewes, the platforme whereof wee ſuppoſe Chriſt meant to bring into his Church, when he ſaid, *Tell the Church*; whereas, ſaith he, it is moſt cleere that the court was a civill court, and had a power to baniſh, to imprison, yea and to take away life, till by the Romans the Jewes were reſtrained. Wee anſwer that *Beza de Presbyterio. I. B. A. C. De polit. civil. &*

Eccl. lib. 2. Alſo *Zepperus*, *Iunius*, *Piſcator*, *Wolphius*, *Godwin*, *Bucerus*, *Gerard*, And ſundry others have rightly obſerved that the Eccleſiaſticall Sanedrim among the Jewes was diſtinct from the civill, yet both called by the name of Sanedrim. Wee grant with *Beza* that ſometimes civill cauſes were debated and determined in the Eccleſiaſticall Sanedrim, but this was done πνευματικῶς, non πολιτικῶς, as he ſaith, the fact which was meerely civill was judged in the civill Sanedrim, but when the civill Judges could not agree *de jure*, even in civill cauſes, in that caſe reſolution was given by the other Sanedrim; as in like caſes by the juriſ-conſults among the *Romans*, for the conſervation and interpretation of the law did belong to the Leviticall Tribe. Hence it is that we read 2 Chron. *19. 8, 11. Iehoſaphat* ſet in *Ieruſalem* of the Levits, and of the chiefe Prieſts, and of the chiefe of the Fathers of Iſrael, ſome for the Lords matters, among whom preſided *Amariah* the chiefe Prieſt, and ſome for the Kings matters, among whom preſided *Zebadiah* the Ruler of the houſe of Judah. *Saravia* ſaith this place proveth not that there were two diſtinct conſiſtories, one for civill, another for Eccleſiaſticall things; becauſe, ſaith he, by the Kings matters are

De poli. Eccl. lib. 3. cap. 7.
In Deut. 17.
ibid. In 2. Reg. 23.
Moſes and Aaron. lib. 5. cap. 1.
De gubern. Ec. pag. 62. Harm. de paſſ. cap. 8.
Ubi ſup. ca. 11. pag. 119.

means

meant matters of peace, and warre, by the Lords matters, the matters of law and judgement which are called the Lords matters, becauſe the Lord was the author of their civill lawes; what ſcraggie device is this? did not matters of peace and warre come under the civill lawes, which God had delivered to the Jewes, as well as any matter of judgement betwixt man and man? and what can bee more plaine then that the Lords matters or things pertaining to God, when they are differenced from other matters, are ever underſtood to bee matters ſpirituall and Eccleſiaſticall? *Quapropter*, wherefore ſaith *Iunius*, *the Readers are to be warned whoſoever they bee that conſult the hiſtories of ancient times, that where they read the name Synedrium, they wiſely obſerve whether the civill Aſſembly or the Eccleſiaſtical be meant of, becauſe that name was confuſed, and indiſtinct, after the times of Antiochus.*

Deut. 20. and 21. and 24.

Heb. 5. 1.

In Deut. 17.

But notwithſtanding that in theſe latter times all good order had much degenerate and growne to confuſion, yet it ſeemeth to me, that even in the dayes of our Saviour Chriſt, the Civill and Eccleſiaſticall courts remained diſtinct, let me ſay my opinion with all mens leave, and under correction of the more learned, that night that our Lord was betrayed, he was led to the Hall of *Caiaphas*,

where there was holden an Ecclesiasticall Sanedrim, which asked Jesus of his Disciples, and of his doctrine, received witnesse against him, and pronounced him guilty of blasphemy, *Mat.* 26. 59. *Mark* 14.53.55. *Joh.* 18. 19. Nothing I finde in this Councell why we should think it civill: for as touching the smiting and buffeting of Christ, *Mat.* 26.67. *Luk* 22.63. some think it was by the servants of the high Priests and Elders after that they themselves had gone home, & left the Councell; howsoever, it was done tumultuously, not judicially, and tumults may fall forth in any Judicatory whether civill or Ecclesiastical. As for the sentence which they gave, *Mat.* 26.66. *He is guilty of death*, it proves not that this was a civill Court: for just so, if an incestuous person should bee convict before an Assembly of our Church, the Moderator might ask the Assembly, what think ye? and they might well answer, He is guilty of death, away with him to the Magistrate. Shortly then the matter debated in this nocturnall Councell, was meerly Ecclesiasticall, and the accusation of sedition and making himselfe a King, were not spoken of till he was brought before *Pilat.* But there was another Sanedrim convocat in the morning, *Mat.* 27.1. *Mark* 15. 1. *Luk* 22 66. and this seemes to have been not Ecclesiasticall but Civill, 1. because they

meddle

meddle not with the triall of his doctrine, nor any examination of witnesses thereanent: only they desire to heare out of his own mouth, that which hee had confessed in the other Councell, viz. that he was the Christ the Son of God; whereupon they take counsell how they might deliver him to *Pilate*, which was the end of their meeting. 2. *Mark* saith, *they bound him, and carried him away to Pilate.* 3. The Ecclesiasticall Councell had already done that which they thought pertained to them: for what should they have convened again? Some say, that all the high Priests, Scribes and Elders, were not present at that nocturnall councell, and that therefore they convened more fully in the morning. But that the nocturnall Councell was fully convened, it is manifest from *Mat.* 26. 59. *Mark* 14. 53. 55. 4. This last Councell led Jesus away to *Pilate*, and went themselves with him to accuse him before *Pilate* of sedition, and of making himselfe a King, *Luk.* 23. 1. 2. *Mat.* 27. 12. 5. They complain that the power of capitall punishment was taken from them by the Romans, importing that otherwise they might have put him to death by their law, *Ioh.* 18. 31.

Now D. *Fields* last reason is, For that all Fathers or Councels mentioning Elders, place them betwixt Bishops and Deacons, and make them to be Clergy men, and that in the Acts where

where the Apoſtles are ſaid to have conſtitute Elders in every Church, Paſtors are meant, is ſtrongly confirmed from Act. 20. 17. 28. where the Elders of the Church of Epheſus are commanded *to feed the flocke of Chriſt over which they were appointed over-ſeers*, whence it followeth inevitably, that they were Paſtors. We anſwer, 1. *Ambroſe* ſpeaketh of Elders which were not Paſtors. 2. *Beza* & *Gualther* expound the place Act. 14. 23. where the Apoſtles are ſaid to have ordained Elders through every Church, of ruling as well as preaching Elders. 3. As for that which he alledgeth from Act. 20. *Beza*, *Iunius*, and the Profeſſors of *Leyden*, hold, that the names of Biſhops and Paſtors are common both to ruling and preaching Elders, and that the Scripture giveth theſe names to both, howſoever in Eccleſiaſtical uſe for diſtinctiõs cauſe, they are appropriate to teaching Elders. Surely the ruling Elder both overſeeth the flocke and feedeth the ſame, both by diſcipline, and by private admonition; and for theſe reſpects may bee truly called both Biſhop and Paſtor. 4. How ſmall reaſon hee hath to boaſt of the Fathers, we have already made it to appeare. 5. It is a begging of the queſtion to reaſon from the appropriation of the name of Elders to the Paſtors.

Cont. Sarav. Ubi ſup. c. 12.

Com. in act. 14

Ubi ſup. cap. 9.

Eccleſ. lib. 2. cap. 1.

Cenſ. in confeſſ. cap. 21. pag. 275.

paged wrongly from hence -

CHAP. XII.

The extravagancies of Whitgift *and* Sara-via *in the matter of ruling Elders.*

THese two Disputers, doe not (as D. *Field*) altogether oppose ẏ government of ruling Elders, but with certain restrictions; about which notwithstanding they differ betwixt themselves. *Whitgift* alloweth of ruling *Elders* under a Tyrant, but not under a Christian Magistrate, but Sarabia saith they cannot be under an *Infidell Magistrate*. Me thinkes I see here *Sampsons* Foxes, with their tailes knit together, and a firebrand betwixt them, yet their heads looking sundry wayes. To begin with *Whitgift*, he saith in one place, *I know that in the primitive church, they had in every church seniors, to whom the Government of the Congregation was committed, but that was before there was any Christian Prince or Magistrate &c.* In another place. *My reason, why it* (the Church) *may not bee governed under a Christian Magistrate, as it may under a Tyrant is this: God hath given the chiefe authority in the government of the Church to the Christian Magistrate, which could not bee so, if your Seigniory might aswell retaine*

Answ. to the admon. pag. 114.

their authority under a Christian Prince, and in the time of peace, is under a Tyrant, and in the time of persecution; for tell me, I pray you, what authority Ecclesiasticall remaineth to the civill Magistrate, where this Seigniory is established?

Hee who pleaseth may find this opinion largely confuted by *Beza de Presbyterio contra Erasmum*, and by *I. B. A. C. polit. civil. & Eccles.* In the meane while *I* answer. First, *T. C.* had made a sufficient Reply hereunto (which *Whitgift* here in his defence should have confuted, but hath not) *viz.* That if the Seniors under a Tyrant had medled with any Office of a Magistrate, then there had beene some cause why a godly Magistrate being in the Church, the Office of a Senior, or at least so much as hee exercised of the Office of a Magistrate should have ceased.

Reply p. 140

But since they did onely assist the Pastor in matters Ecclesiasticall, it followeth, that as touching the Office of Elders, there is no distinction betwixt times of Peace and Persecution. Secondly, There were Seniors among the Jewes under Godly Kings, and in times of Peace: Why not likewise amongst us? Thirdly, The Ecclesiasticall power

power is distinct from the civill, both in the subject, object, and end; so that the one doth not hinder the other: The Magistrates power is to punish the outward man with an outward punishment, which the Presbytery cannot hinder, for he may civilly bind whom the Presbytery spiritually looseth, and civilly loose, whom the Presbytery spiritually bindeth, and that because the Magistrate seeketh not the repentance and salvation of the delinquent by his punishment (as the Presbytery doth) but onely the maintenance of the authority of his lawes, together with the quietnesse and preservation of the *Common-wealth*.

Whence it commeth, that the delinquent scapeth not free of the Magistrate, though hee bee penitent and not obstinate. 4. How thought *Whitgift*, that the christian Magistrate can doe those things which the Seigniory did under a Tyrant? Can the Magistrate by himselfe determine questions of Faith? Can he know what order and decencie in circumstances is fittest for each Congregation? Can he excommunicate offenders, &c. 5. When Bishops exercise Ecclesiasticall jurisdiction (yea and the civill too) this is thought no wrong to Princes:

Is it a wrong in the *Presbytery*, yet not in this *Prelacy*? Good Lord what a Myſterie is this! 6. When *Preſbyters* are eſtabliſhed in their full power, there remaineth much power to the Prince even in things Eccleſiaſticall, as to take diligent heed to the whole eſtate of the Church within his dominions, to indict Synods, and civilly to preſeed in the ſame, to ratifie the conſtitutions there of, and to adde unto them the ſtrength of a civill ſanction, to puniſh *Heretickes*, and all that diſobey the aſſemblies of the Church, to ſee that no matter Eccleſiaſticall be carryed factiouſly or raſhlie, but that ſuch things bee determined in free aſſemblies, to provide for Schollers, Colledges, and Kirkes, that all corrupt wayes of entring into the Miniſtery, by Simony, bribing-patrons &c. be repreſſed, and finally to compell all men to doe their duty according to the Word of God, and Laws of the Church. 7. Whatſoever be the power of the ſupreame Magiſtrate, *Eccleſiæ tamen, &c. Yet let him leave to the Church and to the Eccleſiaſticall Rulers (ſuch as are the Miniſters of the Goſpell, Elders and Deacons) their owne power in handling Eccleſiaſticall things, untouched and whole ſaith Danæus.* For the Eccleſiaſticall

Pol. Chriſt. l. 6 page 452.

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power doth no more hinder the civill administration, then the Art of singing hindereth it, saith the Anguſtan confeſſion. 8. We may answer by a juſt recrimination, that the Prelacy (not the Presbytery) is prejudiciall to the power of Princes, and hath often incroached upon the same. The Biſhops assembled in the eight Councill of *Conſtantinople* ordained that Biſhops ſhould not light from their horſes, when they chance to meet Princes, nor baſely bow before them, and that if any Prince ſhould cauſe a Biſhop to diſparage himſelfe by doing otherwiſe, he ſhould be excommunicated for two yeares. They alſo diſcharged Princes from being preſent in any Synod, except the Oecumenicke. The 1. Councill of *Toledo* ordaineth that *Quoties Epiſcoporum Hiſpanorum Synodus convenerit, toties univerſalis Concilii decretum propter ſalutem Principum factum, peractis omnibus in Synodo recitetur, ut iniquorum mens territa corrigatur.* From which canon *Oſiander* collecteth, that ſome of the Biſhops were not faithfull and loyall to the Kings of *Spaine*. The inquiſition of *Spaine Anno* 1568. preſented to King *Philip* twelve Articles againſt the Netherlands, one whereof was, *That the King write unto and command the Clergie of the Netherlands, that with the Inquiſition they ſhould accept of*

Aff. de poteſt. Eccl.

Can. 14.

Can. 17.

Can. 7

Hiſt. of the Netherlands lib. 9. page 309.

15. *new Biſhops, the which ſhould be free from all ſecular juriſdiction, yea in caſes of Treaſon.* Now as touching the contrary conceit of *Saravia*, he alloweth ſuch Elders as the *Iewiſh* Church had to be joyned now with Paſtors under a Chriſtian Magiſtrate, but under an *Infidell* Magiſtrate, hee ſaith they could have no place; for he taketh the *Jewiſh* Elders to have bin their Magiſtrates, & that in like manner, none but Chriſtian Magiſtrates ſhould ſit with the Miniſters of the Word in Eccleſiaſticall *Courts*, Princes and Nobles in generall or Nationall Councills, and Magiſtrates of cities in particular conſiſtories. This is as foule an error, as that of *Whitgift*; for 1. His opinion of the *Jewiſh Elders*, that they were their Magiſtrates we have confuted before. 2. Though it were ſo, that no Ruling Elders ought to be admitted, now except Chriſtian Magiſtrates, yet might they have place under an *Infidell* Prince: as *Joſeph* under *Pharaoh*, *Daniell* under *Nebuchadnezar*. There have beene both Chriſtian Churches, and Chriſtian Magiſtrates under Hereticall, yea *Infidell* Princes. 3. If Chriſtian Magiſtrates be come in place of the *Jewiſh* Seniors, and ought to be joyned with the Miniſters of the Word in the conſiſtories of the church.

de div. grad. miniſt. cvāg. cap. 11. *p.* 110. 114. 116.

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We demand *quo nomine, quo jure?* whither doe they ſit as Chriſtian Magiſtrates, or as men of ſingular gifts choſen for that effect? Jf as Magiſtrates then ſhall we make a mixture and confuſion of civill & Eccleſiaſticall function? elſe how ſhall men by vertue of civill places ſit in ſpirituall Courts? Jf as men of ſingular gifts choſen to ſit, then may others aſwell as they having the like gifts and election be admitted to ſit alſo. 4. *Saravia* contradicteth himſelfe, for a little after he admitteth grave and godly men in the judicatories of the Church, whither they be Magiſtrates or privat men, *ſive illi magiſtratu fungantur ſive in rep. vivant privati.* *Ibid. p.* 120

CHAP. XIII.

Whether Ruling Elders have the power of decisive voyces, when they sit in Prebyteries and Synods.

THere are sundry questions propounded by D. *Field* and other adversaries of Ruling Elders, whereinto they thinke wee are not able to satisfie them, as 1. Whether *Ruling Elders* ought to have decisive voyces, even in questions of Faith and Doctrine, and in the tryall and approbation of Ministers? 2. Whether these Elders must be in every Congregation with power of ordination, deprivation, suspension, excommunication, and absolution, or whether this power bee onely in Ministers and Elders of divers Churches concurring? 3. If they be Ecclesiasticall persons, where is their ordination? 4. Whether these offices be perpetuall or annuall, and but for a certaine time?

5. Whe-

Whether they ought to ſerve freely or to have a ſtipend? Touching the firſt of theſe; ſince the reformation which *Luther* began, it was ever maintained by the Proteſtāt writers, that not the Miniſters of the word alone, but ſome of all ſorts among Chriſtians ought to have deciſive voices in Councils. But Dr. *Field* will admit none to teach and define in Councils, but the Miniſters of the word onely: others he permits onely to conſent unto that which is done by them. *Saravia* alloweth grave and learned men to ſit with the Miniſters of the word, yet not as Iudges, but as Counſellors and Aſſeſſors onely. *Tilen* will not ſay that the Biſhops and Paſtors of the Church ought to call any into their Councill, but that they may doe it when there is need. Againſt whom and all who are of their mind we object. 1. The example of Apoſtolicke Synods. *Matthias* the Apoſtle after Gods owne deſignation of him, by the lot which fell upon him, was choſen by the voices, not onely of the Apoſtles, but the other Diſciples, who were met with them *Act.* 1. 26. συνεψηφίσθη *i.e. Simul ſuffragiis electus eſt*, as *Arias Montanus* turneth it. For the proper and native ſignification of συνεψηφίσθη, as *Lorinus* ſheweth out of *Gagneius*, is to chooſe by voices. The Profeſſors of *Leyden* have noted

Lib. 5. *c.* 49.

Ubi ſupra c. 9. *p.* 93, 94.

Paren. c. 11.

In Act. 1. 26.

ted this *consensus Ecclesiæ per* ψηφισμα in the election of *Matthias Cens. in Confess. cap.* 21. In the Councill of *Hierusalem Act.* 15. we find that beside the *Apostles* the *Elders* were present, and voiced definitively, for they by whom the Decree of the Synod was given forth, and who sent chosen men to *Antioch*, were the Apostles and Elders, *Gerard, Loc. Theol. com. 6. n.* 28. and *the Profess. of Leyden, cens. in conf. c.* 21. understand that the Elders spoken of *v.* 4. *&* 6. were the ruling Elders of the Church of *Hierusalem*, joyned with the *Apostles*, who laboured in the word. Other Protestāt writers understand by the name of *Elders* there, both preaching and ruling *Elders*. The Brethren, that is the whole Church, heard the disputes, and consented to the Decrees, *v.* 21. 22, 23. Ruling Elders behoved to doe more then the whole Church, that is voice definitively. *Lorinus* the Jesuite saith, that by the name of *Elders* there, wee may understand not onely Priests, but others besides them. *Viz. antiquiores & auctoritate præcellentes discipulos, Disciples of greatest age and note.* And this he saith is the reason why the vulgar Latine hath not retained in that place the Greeke word *Presbyteri*, but readeth *Seniores*. 2. Wee have

for

for us the example of Eccleſiaſticall Courts among the *Jewes*, wherein the *Jewiſh* Elders had equall power of voicing with the Prieſts, and for this we have heard before, *Saravia's* plaine confeſſion. 3. The example of ancient Councils in the Chriſtian Church. *Conſtantine* in his Epiſtle which he wrote to the Churches, concerning the *Nicene* Councill ſaith; *I my ſelfe as one of your number was preſent with them (the Biſhops)* which importeth that others of the Laity voiced there with the Biſhops as well as he, and hee as a chiefe one of their number. *Euagrius lib. 2. cap. 4.* ſaith, that the chiefe Senators ſate with the Biſhops in the Councill of *Chalcedon*. And after he ſaith, *The Senators decreed as followeth.* The fourth Councill of *Carthage*, *c.* 27. ſpeaking of the tranſportation of a Biſhop or of any other Clergie man, ſaith, *ſane ſi id Eccleſiæ vtilitas fiendum poposcerit, decreto pro eo clericorum & laicorum Epiſcopis porrecto, in præſentia Synodi tranſferatur.* The Decrees of the Synod of *France* holden by *Charlemaine* about the yeare 743. are ſaid to have beene made by the King, the Biſhops, the Presbyters, and Nobles. Many ſuch examples might we ſhew, but the matter is ſo cleere that it needeth not. 4. The Revieu of the Councill of *Trent* written by a Papiſt, among

Caranza in ſumma concil. p. 357.

Lib. 1, cap. 8.

among other causes of the ~~Nobility~~ nul of that Councill maketh this one, that Lay-men were not called nor admitted into it, as was the forme of both the Apostolicke and other ancient Councils, shewing also from sundry Histories and examples, that both in *France*, *Spaine*, and *England*, Lay-men vsed to voice and to judge of all matters that were handled in Councils: alleaging further the examples of Popes themselves. That *Adrian* did summon many *Lay-men* to the *Lateran* Councill, as members thereof, that in imitation of him Pope *Leo* did the like in another Councill at the *Lateran* under *Otho* the first, and that Pope *Nicholas in Epist. ad Michael Imperat.* acknowledgeth the right of *Lay-men* to voice in Councils, wherein matters of faith are treated of, because faith is common to all. The same writer sheweth also from the Histories, that in the Councill of *Constance*, were 24. Dukes, 140 Earles, divers Delegates from Cities and Corporations, divers learned Lawyers, and Burgesses of Universities, 5. The Protestants of *Germany*, did ever refuse to acknowledge any such Councill wherein none but Bishops and Ministers of the word did judge. When the Councill of *Trent* was first spoken of in the Dyet at *Norimberg*, *Anno* 1522. all the estates of *Germany* desired

ibid.

Vide fasciculum rerum expetendarum.

desired of Pope *Adrian* the 6. That admittance might be granted as well to *Laymen* as to *Clergie-men*, and that not onely as witnesses and spectators, but to be judges there. This they could not obtaine, therefore they would not come to the Councill, and published a booke which they entituled, *Causa cur Electores & cæteri confessioni Augustanæ addicti ad Cœcilium Tridentinum non accedant*. Where they alleage this for one cause of their not comming to *Trent*, becaus none had voice there but Cardinals, Bishops, Abbots, Generals, or superiors of orders, wheras laickes also ought to have a decisive voice in Councils, 6. If none but the Ministers of the word should sit and voice in a Synod, then it could not bee a Church representative, becaus the most part of the Church (who are the hearers and not the teachers of the word) are not represented in it. 7. A common cause ought to be concluded by common voices. But that which is treated of in Councils is a common cause pertaining to many particular Churches. Our Divines when they prove against Papists that the election of Ministers and the excommunication of obstinate sinners ought to be done by the suffrages of the whole Church[x] they make use of this same argument; *That which concerneth*

[x] repræsentativis

cerneth all ought to be treated of and judged by all. 8. Some of all estates in the common-wealth, voice in Parliament, therefore some of all sorts in the Church ought to voice in Councils and Synods; for *de paribus idem judicium*. A Nationall Synod is that same to the Church, which A Parliament is to the Common-wealth. 9. Those Elders whose right we plead, are called by the Apostle rulers, *Rom.* 12. 8. 1 *Tim.* 5. 17. and Governours, 1 *Cor.* 12. 28. therefore needs must they voice and judge in those assemblies, without which the Church cannot be ruled nor governed. If this be denyed them they have no other function behind, to make them Rulers or Governours of the Church. *Rome* was ruled by the Senate, not by the *Censors*; and *Athens* was governed by the *Areopagus*, not by the inferiour Office-bearers, who did only take heed, how the Lawes were observed. But let us now see what is objected against this power of Ruling Elders, to voice in Councill, and to Iudge of all things, even matters of faith treated therein. First it is alleadged that lay-men have not such abilities, of gifts and learning, as to judge aright of such matters. But I dare say there are Ruling Elders in *Scotland*, who in a theological dispute, should powerfully [illegible] many of those who make this

this objection. 2. *Antonius Sadeel, Iohannes a Lasco, Morney*, and such like shew plainely to the world, that gifts & singular learning, are not tyed to Bishops and Doctors of the Church. 3. Neither doe men of subtile wits and deepest learning, prove alwayes fittest to dispute and determine questions of faith. It is marked in ye historie of the Councill of *Nice*, that there was a *Lay-man* therein, of a simple and sincere mind, who put to silence a subtile Philosopher, whom all the Bishops could not compesce. 4. There are many both in Parliament and secret Counsell without all controverſie able to give their suffrages, and to judge of matters in hand, who notwithstanding, are not of such learning and Eloquence as to enter into the lists of a publique dispute. 5. And if the gifts and abilities, of the most part of ruling Elders, were as small as their adversaries will be pleased to call them, yet this concludeth nothing against their right of power of voicing, but onely against their aptitude and fitnesse unto that, whereto their right would carry them. And we doubt that every Pastour be well gifted, for all which cōmeth within the compasse of his vocation, or doth well every thing, which he hath power to doe. Another objection is made from 1. *Cor.* 14. 32. *The spirits of the Prophets, are subject to the Prophets*: whence they collect, that

that prophets, and preachers of the word, ought to be judged by such as themselves are, that is by Prophets and Preachers, and by none other. To this we say, 1. There owne *Camero* giveth us another commentarie upon that place, rightly observing, that the Apostle there speaketh nothing of trying or judging the spirits, but onely of the order, which is to be kept in the Church: for whereas in the Church of *Corinth*, the Prophets did prophecy tumultuously, many or all of them at once, and would not give place one to another, this the *Apostle* condemneth, and will have the Prophets so to be subject to the Prophets, as that when one riseth up to prophecy, the rest may hold their peace. 2. That this is the sense is cleare, from the order and dependance of the Text, for *v.* 30. he commandeth him that prophecieth in the Church to hold his peace, when any thing is revealed to another Prophet that sitteth by, now this he enforceth by foure reasons. 1. Because so they might all prophecy one by one, and they were mistaken, who thought that all could not prophecy, except many spake at once. 2. All that were in the Church might learne and all be comforted, by every Prophet, which could not be, except they prophecied severally one by one

Piscat. com. 2. p. 176, 161.

one. 3. The Spirits of the Prophets are not arrogant, but humblie ſubject one to another, each giving place to other. 4. God is not the Author of confuſion, but of peace and order.

CHAP. XIV.

Of the Ordination of Ruling Elders, of the continuance of their Office, and of their maintenance.

TOuching the firſt of theſe, it cannot be denyed, but as Election to the Office, ſo ordination to the exerciſe thereof, is a thing common both to Preaching and Ruling Elders. Howbeit in *Scotland* impoſition of hands is not uſed in the Ordination of Ruling Elders, as it is in the Ordination of Preaching Elders, yet this is not to bee thought a defect in their Ordination; for impoſition of hands is not an Act but a ſigne of Ordination, neither is it a neceſſary ſigne but is left free: it is not therefore without reaſon, that *Calvin*, *Chemnitius*, *Gerard*, *Bucan*, *Junius*, *Bucerus*, and many other of our learned Writers, yea the *Arch-biſhop* of *Spalato* doe all make a diſtinction, betwixt the eſſentiall act of ordination

In 1. *Tim.* 4. 14. *Exam.* *part* 2. *p.* 221 *loc. theol. de miniſt. eccl. ſect.* 159. *Loc.* 42. *Animad. in Bellarm. cõt.* 5. *lib.* 1. *c.* 3.

de guber, eccles. lib. 2. cap. 3. N. 54 &c. cap. 4. N. 13. 19.

nation, and the externall rite thereof, holding that ordination may be full, valid and compleat, not onely without the unction used in the *Roman Church*, but even without the laying on of hands, used in the *Reformed Churches*. After the Election of *Ruling Elders*, with the notice & consent of the whole Church, there followeth with us a publique designation of the persons so elected, and an authoritative or potestative Mission, Ordination, or Deputation of them unto their *Presbyteriall* functions, together with publique exhortation unto them, and prayer in the Church for them, which wee conceive to bee all that belongeth either to the essence, or integrity of Ordination. I meane not to condemne Imposition of hands, nor any other convenient signe, in the Ordination of *Ruling Elders*, onely I intend to justifie our owne forme, as sufficient.

As for the maintenance and the continuance of the Office of *Ruling Elders*, wee love not unnecessary Multiplication of questions, let every Church doe herein what they find most convenient. The manner of our Church, in these things, is such, as best befitteth the condition of the same, & such as

as cannot be in reaſon condemned; Neither is a ſtipend, nor continuance in the Function till Death, eſſentiall to the Miniſtery of the Church, but ſeparable from the ſame. The *Levites* of old ſerved not at all times, but by courſe, and when they were 50. yeares old, they were wholly liberat, from the burden and labour (though not from the attendance) of the *Levitticall* ſervice, and Miniſters, may ſtill upon the Churches permiſſion, for lawfull Reaſons, and urgent Neceſſities, be abſent a whole yeere, and longer too, from their particular charges. The *Apoſtles*, when they were firſt ſent through *Judea*, tooke no ſtipend, *Mat.* 10. 8, 9. Neither did *Paul* take any at *Corinth*, 1 *Cor.* 9. 18. The Miniſters among the *Waldenſes*, worke with their hands for their maintainance. The old *Patriarchs* were *Prieſts* and *Preachers*, to their families, and maintained themſelves by the worke of their hands, feeding of Flockes, tilling the Ground, &c, Theſe things I do not mention as Rules, to be followed by us, but to ſhew, that the intermiſſion, of the exerciſe of the Miniſtery, the want of maintainance and labouring with the hands, are not altogether repugnant, nor inconſiſtent, with the Nature of the vocation, of the Miniſters of the word,

but in ſome caſes *hic & nunc*, may bee moſt approveable in them, much more in Ruling Elders. The Revenues of our Church are ſo ſmall, that they cannot ſpare, ſtipends to Ruling Elders, which maketh them willing to ſerve without ſtipends, and leſt they ſhould be overburdened, with this their ſervice, though they be choſen and called to be Ruling Elders as long as they live, at leaſt till they merit, to be depoſed, yet our *booke of policie* alloweth them, that eaſe of intermiſſion and ſerving by courſe, which was allowed to the *Levits* of old in the *Temple*.

1 *Tim*, 5. 17. The double honour which the Apoſtle commandeth to give unto Elders that rule well, needeth not to be expounded of maintainance and obedience; for by double honour wee may either ſimply underſtand, much honour, or by way of compariſon double honour, in reſpect of the Widowes,

Ibid, *v*. 3. whom hee had before commanded to honour, as *Calvin* expoundeth the place. Both theſe *Interpretations* doth *Oecumenius* give upon the ſame place.

The other queſtion propounded by D. *Field* concerning Ruling Elders, ſhall have a reſolution in that which followeth, and ſo I will proceed, conceiving that which hath beene

beene ſaid for Ruling Elders, ſhall ſatiſfie ſuch as deſire to underſtand, though nothing can ſatiſfie the malicious, nor them who are willingly ignorant.

Here endeth the firſt Booke.

THE Second Part, concerning the Assemblies of the Church of SCOTLAND, and Authority thereof.

CHAP. I.

Of popular Government in the Church.

THere bee some that call in question the Warrant and Authority of classicall *Presbyteries*, of provinciall Synods and Nationall Assemblies, as they are used and maintained in the Church of *Scotland*. I meane not the Prælaticall faction, whom we set aside, but even some who are as *Antiepiscopall* as we are. The *Scrupulosity* of such (at least of many such) herein doth (we conceive) proceed not from any per-

perverſneſſe of mind, but onely from certaine miſtakings, which better information may remove.

But firſt of all wee require thoſe, whom we now labour to ſatiſfie, to condeſcend upon another point, *viz.* that the exerciſe of Eccleſiaſticall power and juriſdiction in a particular Congregation, ought not to bee committed to the whole collective body thereof, but is peculiar to the Elderſhip repreſenting the ſame; for in vaine doe wee debate the other point concerning Presbyteries and Aſſemblies, if this latent prejudice ſtill occupy their minds, that the Government of the Church muſt needs be popular, exerciſed by the collective body, which happily may in ſome ſort bee done within the bounds of a well limited Congregation, but is manifeſtly inconſiſtent with claſſicall Presbyteries & Synods, becauſe the collective Bodies of all particular Congregations within the bounds of a ſhire, of a Province, of a Nation, cannot bee ordinarily, nor at all ordinarly, aſſembled together, and if they could,

I beleeve that the *Separatists* themſelves would in that caſe allow a dependencie or ſubordination of particular *Congregations* unto the more generall *Congregation*. So that the point of popular government being once cleared, it ſhall facilitate the other queſtion concerning the Subordination of particular *Elderſhips* to *claſſicall Preſbyteries* & *Synods*. Now there are good reaſons why this popular government or exerciſe by juriſdiction by all can not be admitted into a *Congregation*.

Firſt, in every *Chriſtian Congregation*, there are ſome Rulers, ſome ruled, ſome Governors, ſome governed, ſome that command, ſome that obey, as is manifeſt from *Hebr.* 13. 17. 1. *Theſ.* 5. 12. 1. *Tim.* 5. 17. *But if the whole Congregation have the Rule and Government, who then ſhall be ruled and governed?* It will be anſwered, that in the exerciſe of juriſdiction, every Member is to act according to it's owne condition, the head as the head, the eye as the eye, &c. that the Rulers and Governors of a Congregation are to have the principall conduct of buſineſſe, and to bee Heads, Eares, Mouths, &c. to the *Congregation*.

But

But this *ſimile* maketh rather for us then againſt us, for though every member bee uſefull and ſteadable in the body according to it's owne condition, yet every member neither can nor doth exerciſe thoſe principall actions of ſeeing, hearing, taſting, &c. I ſay not that other members cannot ſee, heare, taſte, as the eyes, eares, and mouth doe, but they cannot at all ſee, heare, nor taſte. So if the Rulers of a Congregation be as the eyes, eares, mouth, &c. then other members of the Congregation cannot at all act thoſe actions of government which they act. Hence it is that ſome, who make the whole Congregation the firſt ſubject of the power of ſpirituall Juriſdiction, doe notwithſtanding hold that the whole Church doth exerciſe the ſaid juriſdiction as *Principium quod*, the Elderſhip alone, as *Principium quo*, even as the whole man ſeeth, as *Principium quod*, the eye alone, as *Principium quo*, and ſo of all the reſt. Thus doe they put a difference betwixt the power it ſelfe, and the exerciſe of it, aſcribing the former to the collective body of the Church, the latter to the repreſentative: knowing that otherwiſe they could not preſerve the diſtinction of Rulers and ruled in the Church.

Sucan. de diſcip. Eccleſ. part 4. c. 2.

Secondly, it is well knowne that in Congregations the greater part are not fit to exerciſe Juriſdiction, for they can not examine the Doctrine and abilities of Miniſters, how ſhould they ordaine them? They can not judge of queſtions and controverſies of faith, how ſhall they determine the ſame? They can not find out and diſcover Hereticks, how ſhall they excommunicate them? It is anſwered that this evill proceedeth from another, *viz.* That there is too much ſloth and overſight in the admiſſion of ſuch as are to be members of a Congregation, and that they would be fit enough to doe their duty, if they were all Saints, they meane appearantly, and in the judgement of charity ſuch, *Rom.* 1. 7. 1 *Cor.* 1, 2. *Eph.* 1, 1. But ſay we againe, 1. Why may wee not hold that when the Apoſtle writeth to the Saints at *Rome*, at *Corinth*, *&c.* he meaneth not, that all who were in thoſe Churches, were either truely or appearantly Saints (for ſome wicked ones there were among them, and manifeſtly vitious, *Rom.* 16, 17, 18. 1 *Cor.* 5. 9. 11.) But that his meaning is, to direct his Epiſtles to ſo many as were Saints at *Rome*, *Corinth*, *&c.* mentioning them alone; becauſe to them, and to none but them, did God

Mos eſt ſcripturæ ita loqui de parte tanquam de toto, ſicut Corinthios in primis ſua Epiſtola partibus ita laudat Apoſtolus, tanquam omnes tales eſſent, cum eſſent laudabiles quidam eorum, ſaith Auguſtine writing to Paulinus,

God ſend his word for a bleſſing, it being ſent to others that they may *goe and fall backward, and be broken, and ſnared, and taken*, as the Prophet ſpeaketh. 2. If it ſhould be granted that the *Apoſtle* giveth the name of *Saints* to all and every one that were in the Churches of *Rome*, *Corinth*, and *Epheſus*, yet Mr. *Ainſworth* himſelfe anſwering Mr. *Bernard* holdeth that they are called Saints by externall calling onely, wherewith many are called who are not choſen, and who have no appearant markes of election. Others ſay that they were called Saints, in reſpect of their baptiſme, wherein they were all conſecrated and devoted to God. Some ſay that they were all Saints, in reſpect of their profeſſion. 3. Howſoever it was that they were all called Saints, yea put the caſe they had beene all truely Saints, ſurely their ſanctification can not import their fitneſſe to exerciſe juriſdiction in the Church. The former is a ſpeciall grace of the holy Spirit given to one for his owne Salvation: The other is a common gift of the Spirit, given for the benefit of the Church.

Thirdly, it were not poſſible to exerciſe juriſdiction by a whole Congregation without

great confuſion and diſorder: therefore this way cannot be from God, who is not the author of confuſion but of order. If it be anſwered, that order may be kept in a Congregation exerciſing Iuriſdiction as well as in a Nationall, at leaſt in a Oecumenicall Synod, where there will be as great a multitude, and peradventure greater, then there is in a well-bounded Congregation. Wee reply it is not ſo much the multitude, which ſhould make diſorder in the exerciſe of Juriſdiction by a whole Congregation (though indeed in many Congregations the multitude alone would hinder order) as the rudeneſſe of the vulgar ſort, who if they ſhould all ſpeake their judgement, what a monſtrous and unavoidable confuſion ſhould there be? The members of Nationall and Oecumenicall Councils, are ſuppoſed to be men of knowledge and diſcretion, and ſo may be kept in good order, much more eaſily then a rude multitude in the Congregation.

They who are of another judgement object to us: Firſt, our Saviours precept, *Matth.* 18. 17. *where hee biddeth us not tell the Elderſhip, but tell the Church.* Anſ. By the Church he meaneth the repreſenta-

tive

tive Body of the Church, even as that which was ſpoken to the Elders of *Iſrael*, *Exod.* 12. 21. was ſaid to be ſpoken by all the Congregation of *Iſrael*, *Ib. verſe* 3. and he who was judged by the Elders, was ſaid to bee judged by the Congregation, *Ioſ.* 20. 6. More of this place we ſay elſewhere. Next they object the example of excommunication by the whole Congregation of *Corinth*, for the Apoſtle ſheweth that it was the duty of the whole Congregation, to caſt out that inceſtuous man. 1 *Cor.* 5 [illegible] In like manner hee writeth to them all, to receive him againe, when he had repented, 2 *Cor.* 2. 6. 8, 9. Anſwer. Whether the power of excommunication *in actu primo ſeu quo ad eſſe*, did belong to the collective body of the Church of *Corinth* or not, is a queſtion controverted, and to this day *ſub judice lis eſt*; yet even thoſe who hold the affirmative part of the queſtion, doe notwithſtanding ſay, that *in actu ſecundo ſeu quo ad operari*, the power pertained onely to the repreſentative body of that Church which was their Presbytery: which is alſo confirmed by 2. *Cor.* 2. 6. where the Apoſtle ſpeaking of the cenſure of that inceſtuous man, ſaith not, that it was

Supra part 1. *cap* 4. *c.* 11.

inflicted, ὑπ' πᾶν πλῆθος, but ὑπ' τῶν πλειόνων not by all, but by many. Hee was judged and sentenced by those πλείονες, that is by the Pastors and Elders of *Corinth*, howbeit the execution & finall act of that high censure, was to be with the consent and in the presence of the Congregation.

Thirdly, it is objected, that *Matthias* was chosen by the whole number of the Disciples, *Act.* 1. and so were the *Deacons* chosen *Act.* 6. and *Elders* in every City were made *per χειροτονίαν*, the Congregation signifying their suffrages by the lifting up or stretching forth of their hands, *Act.* 14. 23. Therefore Jurisdiction ought to be exercised by whole Congregations. Answ. This Argument faileth two waies, 1. Though ordination of Office-bearers in the Church be an act of Jurisdiction, it doth not appeare that the election of them is an act of jurisdiction likewise. Though the solemnizing of marriage be an act of authority, yet the choice and desire of the parties is not an act of authority. 2. Or (if you will) election of Ministers is one of the Rights and Priviledges of the Church, yet no act of jurisdiction. 3. And if election were an act of authority and jurisdiction,

on,

on, yet the alleadged examples prove no more but that this act of juriſdiction is to be exerciſed by the whole body, *in Eccleſia conſtituenda, non conſtituta.* It may bee ſo indeed in Churches at their firſt erection, but being once erected, and all neceſſary Office-bearers therein planted, from thenceforth the election of *Elders* pertaineth to the *Presbytery*, to the *Paſtor* and *Elders*, as *Zepperus* writeth, though ſtill with the conſent of the Church. *Depol. Eccl. l. 2. cap. 12.*

Fourthly, it is objected, that what concerneth all ought to be done with the conſent of all. Anſw. Wee hold the ſame, but the conſent of all is one thing, the exerciſe of juriſdiction by all, another thing. *Ainsworth* in one of his Epiſtles to *Paget*, condemneth the Elderſhips ſitting and judging matters apart from the Congregation. *Paget* anſwereth, that though the Elderſhip ſit apart to judge, yet before any ſentence be given for the cutting off of any offender, or for any other thing which concerneth all, matters are firſt propounded to the whole Church, and their prayers and conſent required. *Arrone, pag. 23.*

And

And surely this forme of proceeding shineth forth to us in that *Apostolicall* Synod at *Jerusalem*, for the *Apostles* and *Elders*, met, sate, and voiced apart from the whole Church, as *Calvin* noteth from *Act.* 15,6. and they alone judged and decreed *Act.* 16. 4. In the meane while were matters made knowne to the whole Church, and done with the consent of all, *Act.* 15: 22.

If it be objected from *verse* 12. that the whole multitude was present in the Synod: I answer, we may understand with *Piscator* the multitude there spokē of to be the multitude of the *Apostles* & *Elders*, *V.* 6. or if we should understand by the multitude the whole Church, this proveth onely that the whole Church heard the question disputed, not that they were all present at the judging and determining of it. If it be further objected that the Synodall Epistle came not onely from the *Apostles* and *Elders*, but from the brethren, that is, the whole Church. The answer is easie. The Brethren are mentioned, because it was done with their knowledge, consent, and applause.

To say no more, wee would gladly bury this controversie about popular government, in eternall silence and oblivion, and to this end we are content it be packt up, in

in the words which the *Separatists* themſelves (doubtleſſe perpending the Reaſons above-mentioned) have ſet downe in the 14. Article of the Confeſſion of their Faith publiſhed, *Anno* 1616. for this they ſay, *Wee judge each proper Paſtor may and ought to bee truſted by the Congregation, with the managing of all points of their Eccleſiaſticall affaires and Government, ſo farre, that he with his aſſiſtants doe execute and adminiſter the ſame: yet ſo that in matters of waight, the whole Congregation doe firſt underſtand thereof, before any thing be finiſhed, and the finall act bee done in the preſence of the whole Congregation, and alſo that they (the ſaid Congregation) doe not manifeſtly diſſent therefrom.* We are heartily content, that Congregations doe fully enjoy all the Chriſtian liberty, which here is pleaded for in their behalfe, yea and much more alſo; for the aſſiſtants ſpoken of in theſe words of the Confeſſion, are other Paſtors and Colleagues, if any there be, in the ſame Congregation, as will bee evident to any that readeth that Article. But wee are content that the Aſſiſtants ſpoken of be underſtood to bee *Ruling Elders*. Now if the Authors of that Confeſsion thought the Chriſtian liberty of a Congregation ſufficiently preſerved,

when the Paſtor or Paſtors thereof doe manage the weighty Eccleſiaſticall affaires and government, with the knowledge, and (at leaſt tacite) conſent of the Congregation it ſelfe, then doe we not onely ſufficiently and but abundantly preſerve the liberty of the Congregation, while as not the Paſtor or Paſtors thereof alone, but ſundry Ruling Elders; alſo, repreſenting the Congregation, doe manage the affaires aforeſaid, the *Congregation* withall underſtanding thereof, and conſenting thereto, *Tacitè* if not *Expreſſè*. I doe not thinke but thoſe of the *Separation* at this time, will eaſily aſſent to this reſolution and reconcilement of the controverſie, and ſo much the rather, becauſe (I beleeve) they themſelves doe ſeclude from the exerciſe of juriſdiction in the *Congregation*, both children under age, becauſe of their defect of Judgement, and women, becauſe they are forbidden to ſpeake in the Church, and whether they ſeclude any other, I know not, but ſince according to their owne Tenets, ſome muſt be ſecluded, and the power given to the *Church*, muſt in the exerciſe of it be reſtrained to ſome in the *Church*, it is better to ſay with *Aegidius Hunnius*, *that when Chriſt remitteth us to the Church. Mat.* 18. 17. *He meaneth the prime and chiefe Members which repreſent the Church, that is Paſtors*

In Mat. 18. 17.

and

and Elders, then to say that he sendeth us to the whole body of the Church.

One scruple more may peradventure remaine. They will say, it is well that we require the churches consent, before any waighty matter which concerneth all be finished; but what if this consent be not had? Whether may the Eldership cut off an offender *renitente Ecclesia*? For their satisfaction in this, also wee say with *Zepperus*, *Quod si Ecclesia &c. But if the Church*, saith he, *will not approve the sentence of Excommunication, nor hold it valid, and they see many disagreeing among themselves, and schismes and greater evills in the Church to follow this sentence of Excommunication: the Elders shall not proceed to Excommunication, but shall patiently suffer what cannot with the good leave of the church be amended. In the meane while they shall publikely and privately admonish and exhort*. So saith *Zanchius*, that without the consent of the church no man ought to be excommunicated.

de pol. eccl. lib. 1, cap. 19.

In 4 praecol. 75 & de rep. ec lib. 5. c. 12. n. 67, lib. 3, contra Epist. Pomeo.

The B. of *Spalato*, and before him, *Augustine* hath given the reason hereof, because the end of excommunication cannot be attained, if

if the Church doe not consent thereto; for the end is, that the offender may bee taken with feare and shame, when he findeth himselfe abhorred and accursed by the whole Church, so that it shall be in vain to excommunicate him, from whom the Multitude in the Church refuse to abstract their communion. I conclude, that in such cases; though the Pastors and Elders have the power of jurisdiction, it is not to exercise the same.

CHAP. II.

Of the independencies of the Elderships of particular Congregations.

WEE have now rolled away one stone of offence, but there is another in our way. It were most strange, if the collective body of a Congregation, consisting it may bee of 10, 20, 30, or 40 persons, according to the grounds of these with whom we deale, should bee permitted to exercise independently all Ecclesiasticall Jurisdiction: but it is almost as great a Paradox, to say, that the representative of every Congregation, which is the Eldership thereof, consisting it may be of a Pastor, and two or three *Ruling Elders*, ought independently

ly to exerciſe the foretaid juriſdiction in all points.

I am debtor to D. *Field*, for anſwering one of thoſe queſtions before propounded, concerning *Ruling Elders*, and here it falls in my hand. He aſketh whether the power of Church-government and juriſdiction, doth belong to the Paſtor and Elders of every Congregation, or to the Paſtors and Elders of many Congregations joyned together in a Common Presbytery. I beleeve his expectation was, that while as we would ſayle through betwixt the *Caribdis* of Epiſcopall tyranny, and the *Scylla* of popular Anarchy, wee ſhould not know how to direct our courſe, but ſhould certainly either bee ſwallowed up in the waves of mighty difficulties, or ſplit our ſelves upon hid Rockes of diviſion. Our danger, I hope, is not ſo great as he did imagine; for we hold that the particular Elderſhips of ſeverall Congregations have their owne power and authority of Church-government, but with a ſubordination unto the common or greater Presbytery, whoſe power is ſuperior and of a larger extent.

Firſt, then we ſhall take into conſideration, the bounds of the power of particular Elderſhips, and how the ſame may be ſaid to be independent, and how not, for this pur-

pose, I shall give foure distinctions out of *Parker*, and to these I shall adde other foure of my owne.

de pot. eccl. lib. 3. cap. 21.

The first distinction is, betwixt things which are proper and peculiar to one Congregation, and things which are common to many: the former pertaineth to the particular Eldership, the latter to the common Eldership: Whence it commeth that in *Scotland* the cases of ordination, suspension, deposition, and Excommunication, are determined in the greater *Presbyteries*, because it doth not concerne one Congregation alone, but many, who be taken into the common *Presbytery*, and who be put out of the same, neither doth the Excommunication of a sinner concerne onely one Congregation, but the Neighbouring Congregations also, among whom (*as is to be commonly supposed*) the sinner doth often haunt & converse. *Cyprian* speaking of the admission of some who had fallen, and who had no recommendation from the *Martyrs* to be received againe, referreth the matter to a common meeting, and his reason is, because it was a common cause, *and did not concerne a few, nor one church onely*. See *lib. 2. Ep. 14.*

The Elders & Deacons of Rome writing to Cyprian concerning some publicke offenders, say Per quam enim bis & invidiosum & onerosum videtur, non per multos examinare quod per multos commissum videatur fuisse, & unam sententiam dicere, cum tam grande crimen per multos diffusum non tutum existe quoniam sed) nec firmum decretum potest esse quod non plurimorum videbitur habuisse consensum Cypr. Epist. 31. inedit Pamel.

The second distinction is betwixt Congregations

gregations, *which have a competent and well-qualified Eldership, & small Congregations, who have but few office-bearers, and those (it may be) not sufficiently able for* Church-government. *In this case of insufficiencie, a Congregation may not independently, by it selfe, exercise jurisdiction, and not* in re propria, *saith* Parker.

3. He distinguisheth betwixt the case of right administration, and the case of aberration: whatsoever liberty, a Congregation hath in the former case, surely in the latter it must needs be subject and subordinate. *If particular Elderships doe rightly manage their owne matters of Church-government, the greater Presbytery shall not need for a long time (it may be for some yeares) to intermeddle in any of their matters, which wee know by experience in our owne Churches.*

4. Hee maketh a distinction betwixt the case of appellation and the case, *de nulla administratione mala præsumpta.* Though the particular Eldership hath proceeded aright, though it consist of able and sufficient men, and though it bee *in re propria*, yet if one think himselfe wronged, and so appeale, then is it made obnoxious to a higher consistory, for

for ſaith *Parker*, as the Councill of *Sardis* ordaineth audience muſt not bee denyed to him who entreateth for it.

de pol. eccl. lib. 3. cap. 2. So ſaith *Zepperus*, ſpeaking of the ſame purpoſe, *cuivis integrum quoque ſit ad ſuperiores gradus provocare, ſi in inferioris gradus ſententia aut decreto aliquid deſideret.*

5. Adde unto theſe a diſtinction betwixt a Congregation, lying alone in an Iland, Province, or Nation, and a Congregation bordering with ſixter Churches. If either there be but one Congregation in a Kingdome or Province, or if there be many farre diſtant one from another, ſo that their Paſtors and Elders cannot ordinarily meete togeither, then may a particular Congregation doe many things by it ſelfe alone, which it ought not to doe, where there are adjacent neighbouring Congregations, together with which, it may, and ſhould have a common Presbytery.

6. Let us put a difference betwixt the ſubordination of one Congregation to another, or of one Elderſhip to another, and the ſubordination of any Congregation, and of the

the Eldership thereof to a superior, Presbytery or Synod made up out of many Congregations, as one provinciall Synod is not subject to another Provinciall Synod, yet all the Provinciall Synods in the Nation are subject to the Nationall Synod, so it is also with the ordinary consistories, one particular Eldership is not subject to another, yet all the particular Elderships within the bounds of the common Presbytery are subject to the same. So that there is a vast difference betwixt this subordination which we maintaine, and the subordination of all the Parishes in a Dioceſſe to the Prælate and his Cathedrall. Where *Downame* doth object that all the Parishes of *Geneva* are Hierarchically subject to the Presbytery in the city, *Parker* denieth this, *nisi quis &c. vuleſſe* saith he, *peradventure one may be subject to himselfe, for the Parishes, each for their owne part, and that alike, are this same Presbytery.* And after, *Consistorium &c. for the Consistory of the Cathedrall Church is an externall meeting, divers distinct and separate from the rurall Churches, which are no part thereof, this cannot be said of the Presbytery of Geneva.* *De pol. Ec. lib. 3. c. 23.*

7. Wee must distinguish betwixt a dependance absolute, and, in some respect, a Congregation doth absolutely depend upon

the holy Scriptures alone, as the perfect rule of faith and manners, of worship and of Church-government, for we accurse the tyranny of Prelates, who claimed to themselves anautocratoricke power over Congregations, to whom they gave their naked will for a Law. One of themselves told a whole Synod that they ought to esteeme that best which seemeth so to Superiors, and that this is a sufficient ground to the conscience for obeying, though the thing be inconvenient. We say, that Congregations ought indeed to be subject to Presbyteries and Synods, yet not absolutely, but in the Lord, and in things lawfull, and to this purpose the constitutions of Presbyteries and Synods are to bee examined by the judgement of Christian discretion, for a Synod is *Judex Judicandus*, and *Regula regulata*, so that it ought not to be blindly obeyed, whether the ordinance be convenient or inconvenient.

Spotswood *Serm. at Perth. assemb.*

Last of all we are to distinguish betwixt the condition of the Primitive Churches, before the division of Parishes, and the state of our Churches now after such division. At the first when the multitude of Christians in those great cities of *Rome, Corinth, Ephesus, &c.* was not divided into severall Parishes, the common Presbytery in the city

city did ſuffice for the government of the whole, and there was no need of a particular conſiſtory of Elders, for every aſſembly and Congregation of Chriſtians within the city, except perhaps to admoniſh, rebuke, exhort, or to take notice of ſuch things as were to be brought into the common Presbyterie. But after that Pariſhes were divided, and Chriſtian Congregations planted in the rurall villages, as well as in the cities, from hence forth it was neceſſary that every Congregation ſhould have at hand within it ſelfe, a certaine Conſiſtory for ſome acts of Church-government, though ſtill thoſe of greater importance were reſerved to the greater Presbyterie. And thus have I, out of deſire to avoid unneceſſary queſtions, ſet downe my conceptions concerning the Elderſhips of particular Congregations, and the power of the ſame.

If it be ſaid, that *I* ſeeme to deny the divine right of the ſame, or that they have any warrant from the patterne of the Apoſtolike Churche. *I* anſwer. *I* acknowledge the conformity of the ſame with the patterne thus farre. 1. *It* is to bee ſupoſed that in ſome ſmall cities (eſpecially the ſame not being wholly converted to the Chriſtian faith) there was but one Chriſtian Congregation, the Elderſhip whereof did

manage matters of jurisdictiõ proper thereto. 2. Even in the great cities, at the first there was but one Congregation of Christians, and so but one particular Elder ship. 3. After that the Gospell had spread, and Christians were multiplied in those great cities, it is true, they were all governed by a common Presbytery, but that Presbytery was not remote, but ready at hand among thẽselves. Now in this we keepe our selves as closse to the patterne, as the alteration of the Churches condition by the division of Parishes will suffer us, that is to say, we have a common Presbytery for governing the Congregations within a convenient circuit, but withall our Congregations have, *ad manum*, among themselves, an inferiot Elder ship for lesser acts of Government: though in respect of the distance of the seate of the common Presbytery from sundry of our Parishes, they can not have that ease and benefit of neareneſse, which the Apostolique Churches had, yet by the particular Elder ships they have as great ease of this kinde as conveniently can be.

CHAP. III.

Of greater Presbyteries which some call classes.

THe word πρεσβυτέριον Presbyterie we find thrice in the New Testament, twice of the *Jewish* Presbytery at *Hierusalem*, *Luke* 22.66. *Act.* 22. 5. and once of the Christian Presbytery. 1. *Tim.* 4. 14. *Neglect not the gift that is in thee, which was given thee by prophecy, with the laying on of the hands of the Presbytery.* *Sutlivius* and *Downame* have borrowed, from *Bellarmine*, two false glosses upon this place. *De presb, c. 12. p. 75. 81.* *Serm. in a-poc. 1. 20.*

They say by πρεσβυτέριον here, we may understand either an assembly of Bishops, or the Office of a Presbyter, which was given to *Timothy*. To these absurdities let one of their owne side answer: *whereas* saith D. *Forbesse, some have expounded the Presbytery in this place to be a company of Bishops, unlesse by Bishops thou would understand simple Presbyters, it is a vilest interpretation, and an insolent meaning. And whereas others have understood the degree it selfe of Eldership, this can not stand, for the degree hath not hands, but hands are mens.* I finde in *Sutlivius*, a third *Iren, lib. 2. c. 11. p. 161.* *De presb, c. 1.*

third gloſſe. He ſaith, that the word Presbyterie in this place ſignifieth the Miniſters of the word, *non juris vinculo ſed utcunque collectos, inter quos etiam Apoſtoli erant.* Anſ. 1. If ſo, then the occaſionall meeting of Miniſters, be it in a journey, or at a wedding, or a buriall, &c. ſhall all be Presbyteries, for then they are *utcunque collecti.* 2. The Apoſtles did put the Churches in better order, then to leave impoſition of hands, or any thing of that kind to the uncertainty of an occaſionall meeting. 3, The Apoſtles were freely preſent in any Presbyterie, where they were for the time, becauſe the overſight and care of all the Churches was layd upon them: Paſtors and Elders were neceſſarily preſent therein, and did by vertue of their particular vocation meete together Presbyterially, whether an Apoſtle were with them, or not.

No other ſenſe can the Text ſuffer but that by *Presbyterie* we ſhould underſtand *conſeſſus Presbyterorum*, a meeting of *Elders*, and ſo doe *Camero* and *Forbeſſe* themſelves expound it. *Sutlivius* objecteth to the contrary, that the Apoſtle *Paul* did lay on hands upon *Timothy*, which he proveth both from 2. *Tim.* 1. and, becauſe extraordinary gifts were given by that laying on of hands. Anſ. There is an expreſſe difference made betwixt

Pauls

Pauls laying on of his hands, and the *Presbyteries* laying on of their hãds. Of the former it is ſaid, that *Timothy* received the gift, which was in him, *dia* by the laying on of *Pauls* hands; but he received the gift *meta* with the laying on of the hands of the *Presbyterie*, as *Didoclavius* noteth. But ſaith *Sutlivius*, *Timothy* being an Evangeliſt (as you hold) how could hee be ordained by the *Presbyterie*? Anſ. 1. Though the *Presbyterie* did neither give him ordination to bee an Evangeliſt, nor yet conferre by the laying on of their hands extraordinary gifts upon him, yet did they lay on their hands, as ſetting to their Seale and Teſtimony, and commending him to the grace of God, even as certaine Prophets and Teachers layd hands on *Paul* and *Barnabas*, and *Ananias* alſo before that time had laid his hands upon *Paul*. 2. The *Presbyterie* might ordaine *Timothy* to be an *Elder*. *If ſo be he was ordained an Elder before he was ordained an Evangeliſt*. 3. If the teſtimony of the *Presbyterie*, by the laying on of their hands, together, with the Apoſtles hands, in the extraordinary miſſion of *Timothy*, was required: much more may it be put out of queſtion, that the Apoſtles committed to the *Presbytery* the full power of ordaining ordinary Miniſters.

But it is further objected by *Sutlivius* that this

this could not be such a Presbyterie as is among us, because ordination and imposition of hands pertaine to none, but the Ministers of the word. Ans. 1. The children of *Israel* laid their hands upon the Levites, & we would know his reason why he denyeth the like power to ruling Elders now, especially since this imposition of hands is but a gesture of one praying, and a morall signe declaring the person prayed for. 2. Howsoever our practice (which is also approved by good Divines) is, to put a difference betwixt the act of ordination and the externall signe thereof, which is imposition of hands, ascribing the former to the whole Presbytery both Pastors and Elders, and reserving the latter to the Ministers of the word, yet to bee done in the name of all.

Num. 8. 10.

Iun. cont. 5. *lib.* 1. *cap.* 3. *Synod. pur. theol. dyp.* 42. *thes.* 37.

Thus have we evinced the Apostles meaning, when he speaketh of a Presbyterie, and this Consistory we find to have continued in the Christian Church in the ages after the Apostles. It is certaine that the ancient Bishops had no power to judge any cause without the presence, advice and counsell of their Presbyteris *Conr. Carth.* 4. *can.* 23. *Field, Forbesse, Saravia*, and *Downame*, doe all acknowledge that it was so, and so doth *Bellarmine de Pont. Rom. l.* 1. *c.* 8. Of this Presbytery speaketh *Cyprian*, *Omni actu ad me perlato, placuit contrahi Presbyterium, &c.* The

Of the Presbytery speaketh the same *Cyprian, lib. 2. Ep. 8. & lib. 4. Ep. 5. Ignatius ad Trall.* and *Hierom in Esa. 3.* Wee finde it also in *conc. Ancyr. can.* 18. and in *conc. Carthag. 4. can.* 35. 40. Doctor *Forbesse* alledgeth that the word *Presbytery* for fifteen hundred yeares after Christ, did signifie no other thing in the Church, then a Dioceſan Synod. But herein (if hee had understood himselfe) he spake not so much against Presbyteries, as against Prelats; for a Dioceſſe of old was bounded within one City. *Cumque jampridem per omnes provincias & per urbes singulas ordinati sint Episcopi, &c.* saith *Cyprian.* It was necessary to ordaine Bishops, κατ' ἐκάστην πόλιν, saith *Chrysostome*, speaking of the primitive times; yea, in Country Villages also were Bishops, who were called χωρεπίσκοποι, that is, χωρικοὶ ἐπίσκοποι, rurall Bishops, whose Episcopall office (though limited, yet) was allowed in the Councell of *Ancyra, can.* 13. and the Councell of *Antioch can* 8. & 10. *Sozomen* recordeth that the Village *Majuma*, which was sometime a suburbe of the City *Gaza*, was not subject to the Bishop of *Gaza*, but had its owne proper Bishop, and that by the decree of a Synod in *Palestina.* The Councell of *Sardis, can.* 6. and the Councell of *Laodicea, can.* 57.

Iren. lib. 2. p. 254. 255.

Lib. 4. ep. 2.

In 1 Tim. hom. 10.

Hist. tripart. l. 6. c. p. 4.

though they discharged the ordaining of Bishops in villages, lest the name of a Bishop should grow contemptible, did nevertheless allow every City to have a Bishop of its owne. What hath Doctor *Forbesse* now gained by maintaining that the bounds of a Presbyterie, and of a Dioceſſe were all one? They in the *Netherlands* sometime call their Presbyteries *Diocæſes*: and many of our Presbyteries are greater then were Dioceſſes of old. Wee conclude there was anciently a Presbytery in every City which did indeede choose one of their number to preside among them, and to lay on hands in name of the rest, and hee was called the Bishop; wherein they did more trust the deceiveable goodnesse of their owne intentions, then advert to the rule of the Word of God.

G. Bucer. de gub. Eccl. pag. 100. 101.

These things premitted, I come now to that which is principally intended, *viz.* by what warrant and *qu. jure*, the Classicall Presbyterie among us, made up out of many neighbouring congregations, should be the ordinary Court of Ecclesiasticall Jurisdiction, at least in all matters of highest importance, which doe concerne either all or any of those congregations.

For resolution hereof we must understand

1. That

1. That cauſes common to many congregations, ought not to be judged by any one of them, but by the greater Presbytery common to them all. 2. It is to bee ſuppoſed that particular congregations (at leaſt the farre greateſt part of them) have not in their proper Elderſhips ſo many men of ſufficient abilities, as are requiſite in judging and determining the caſes of the examination of Miniſters, of ordination, depoſition, excommunication, and the like. 3. When one appealeth from a particular Elderſhip, out of perſwaſion that hee is wronged by the ſentence thereof, or when that Elderſhip finding its owne inſufficiency for determining ſome difficult cauſes, reſolveth to referre the ſame into a higher Court: reaſon would that there ſhould be an ordinary Court of a Claſſicall Presbytery to receive ſuch appellations or references. 4. Congregations which lye neare together, ought all as one to keep unity and conformity in Church policy and government, neither ought one of them be permitted to doe an injury, or to give an offence unto another: and for theſe ends, it is moſt neceſſary that they be governed by one common Presbytery. 5. There may be a competition or a controverſie not only betwixt one congregation and another, but in the ſame

congregation betwixt the one halfe and the other; yea, the Elderſhip it ſelfe of that congregation, may be, (and ſometimes is) divided in it ſelfe. And how ſhal things of this kinde bee determined, but by the common Presbytery? 6. But (which is *caput rei*) theſe our Claſſicall Presbyteries have a certaine warrant from the paterne of the Apoſtolicall Churches: For proofe whereof, it ſhall bee made to appeare, 1. That in thoſe Cities, (at leaſt in many of them) where Chriſtian religion was planted by the Apoſtles, there were a great number of Chriſtians, then either did, or conveniently could meet together into one place for the worſhip of God. 2. that in thoſe Cities there was a plurality not onely of ruling Elders, but of the Miniſters of the word. 3. That notwithſtanding hereof, the whole number of Chriſtians within the Citie, was one Church. 4. That the whole number, and ſeverall companies of Chriſtians within one Citie, were all governed by one common Presbytery. The ſecond of theſe doth follow upon the firſt, and the fourth upon the third.

The firſt propoſition may bee made good by induction of particulars; and firſt, it is more then evident of *Ieruſalem*, where wee finde unto 120 Diſciples, Act. 1. 15. added 3000.

3000. by *Peters* two Sermons, Act. 2. 41. and 4. 4. Beſides whom, there were yet more multitudes added, Act. 5. 14. And after that alſo, wee read of a further multiplication of the Diſciples Act. 6. 1. by occaſion whereof the ſeaven Deacons were choſen and ordained: which maketh ſome to conjecture, that there were ſeven congregations, a Deacon for every one. Certainly there were rather more then fewer, though wee cannot determine how many. It is written of *Samaria*, that the people with one accord gave heed unto *Philip*, Act. 8. 6. even all of them both men and women, from the leaſt to the greateſt, who had before given heed to *Simon*: of theſe all it is ſaid, that they beleeved *Philip*, and were baptiſed, verſ. 10. 12. which made the Apoſtles that were at *Ieruſalem* when they heard that the great City *Samaria* had received the word of God, to ſend unto them *Peter* and *Iohn*, the harveſt being ſo great, that *Philip* was not ſufficient for it, v. 14. Of *Ioppa* it is ſaid, that many beleeved in the Lord, Act. 9. 42. Of *Antioch* we read, that a great number beleeved, and turned to the Lord, Act. 11. 21. Of *Iconium*, that a great multitude both of the Jewes, and alſo of the Greekes, beleeved, Act. 14. 1. Of *Lidda* that all who dwelt therein, turned to the Lord, Act. 9. 35. Of *Berea*,

that many of them beleeved: alſo of the honourable women, and the men not a few, Act. 17. 12. Of *Corinth* the Lord ſaith, I have much people in this Citie, Act. 18. 10. Of *Epheſus* wee finde, that feare fell on all the Jewes and Greekes which dwelt there, and many beleeved; yea, many of the Magicians themſelves, whoſe bookes that were burned, amounted to fifty thouſand peeces of ſilver, ſo mightily grew the Word of God and prevailed, Act. 19. 17. 18. 19. 20. Unto the multitude of Chriſtians in thoſe Cities, let us adde another conſideration, viz. that they had no Temples (as now wee have) but private places for their holy Aſſemblies, ſuch as the houſe of *Mary*, Act. 12. 12. the Schoole of *Tyrannus*, Act 19. 9. an upper chamber at *Troas*, Act. 20. 8. *Pauls* lodging at *Rome*, Act. 28. 23. Neither doe I ſee any reaſon why the Church which was in the houſe of *Aquila* and *Priſcilla*, Rom. 16. 5. 1 Cor. 16. 19. ſhould not be underſtood to bee a congregation, as *Eraſmus* readeth it, that is, ſuch a number of Chriſtians as met together in their houſe. So wee read of the Church in the houſe of *Nymphas*, Col. 4. 15. And of the Church in the houſe of *Archippus*, *Philem.* v. 2. Howſoever, it is certaine, that Chriſtians met together, κατ' οἶκον, houſe by houſe, *Domatim*,

the Act. 2. 46. both theſe conſiderations, viz. the multitude of Chriſtians in one Citie, and their aſſembling together for worſhip in private houſes, have alſo place in the next ages after the Apoſtles. Let *Euſebius* ſpeak for them both. *Who can deſcribe*, ſaith hee, *thoſe innumerable heaps & flocking multitudes, throughout all Cities and famous Aſſemblies, frequenting the places dedicated to prayer?* Thereafter he proceedeth to ſhew how in aftertimes by the favour of Emperours, Chriſtians had throughout all Cities, ample Churches built for them, they not being contented with the old *Oratoria*, which were but private houſes. Now theſe two, the multitude of Chriſtians, and the want of Temples, ſhall abundantly give light to my firſt propoſition. Hiſt. Eccl. lib. 8. cap. 1.

But it may bee objected to the contrary, that all the Diſciples at *Ieruſalem* did meet together ἐπὶ τὸ αὐτό, into one place, Act. 2. 44. And the ſame is ſaid of the Church of *Corinth*, 1 Cor. 11. 20. Anſ. The diſciples at *Ieruſalem*, being at that time above 3000. it cannot be cõceived how any priva e houſe could cotain them. Beſide, it is ſaid, that they brake bread (that is, did celebrate the Lords Supper from houſe to houſe. Therefore many good interpreters underſtand by ἦν ἐπὶ τὸ αὐτό, that all the Diſciples were linked together in- Verſ. 46.

to one by amity and love, an evidence whereof is given in the next words, *and had all things common.* To the other place wee answer: 1. That Epistle, whether it were written from *Philippi*, or from *Ephesus*, was undoubtedly written very lately after the plantation of the Gospel in *Corinth*, while as that Church was yet in her infancie. And if it should bee granted, that at that time the whole Church of *Corinth* might and did meet together into one place, this proveth not that it was so afterward: for the Churches increased in number daily, Act. 16.5. But, 2. the place of the Apostle proveth not that which is alledged: for his words may be understood *in sensu distributivo.* It was no solecisme for one that was writing to divers congregations, to say, *When yee come together into one place*, meaning distributively of every congregation, not collectively of them all together.

My second proposition concerning the plurality of the Ministers of the Word in those great Cities, wherein the Apostles did erect Christian Churches, ariseth from these grounds, 1. The multiplicity of Christians. 2. The want of Temples, of which two I have already spoken. 3. The daily increase of the Churches to a greater number, Acts 16.5. 4. There was need of preachers, not only

only for those who were already converted in the City, but also for labouring to winne the unbelievers who were therein. These reasons may make us conclude that there were as many Pastors in one City as there were sacred meetings therein, and some more also for the respects foresaid. And what will you say if we finde examples of this plurality of Pastors in Scripture? Of the Bishops or Pastors of the Church of *Ephesus*, it is said, that *Paul* kneeled down, *and prayed with them all, and they all wept sore*, Acts 20. 36. 37. compared with verse 28. Here is some good number imported. To the Angell of the Church of *Smyrna*, that is, to the Pastors thereof collectively taken, Christ saith, *The Divell shall cast some of you into prison*, Revel. 2. 10. which (if not only yet) principally is spoken to the Pastors, though for the benefit of that whole Church. This is more plaine of the Church of *Thyatira*, verse 24. Τμῖν δὲ λέγω καὶ τοῖς λοιποῖς, *Vnto you I say, & to the rest in Thyatira*: as if he would say, saith *Pareus*, *Tibi Episcopo cum collegis & reliquo cœtui dico.* *Paul* writeth to the Bishops at *Philippi*, Phil. 1. 1. and notwithstanding that there was already a certaine number of Bishops or Pastors in that City, yet the Apostle thought it necessary to send unto them *Epaphroditus*

alſo, Phil. 2. 25. being ſhortly thereafter to ſend unto them *Timotheus*, verſe 19. yea to come himſelfe, verſe 24. ſo that there was no ſcarcity of labourers in that harveſt. *Epaphras* and *Archippus* were Paſtors to the Church at Coloſſe, and who beſides we cannot tell, but *Paul* ſent unto them alſo *Tychicus*, and *Oneſimus*, Col. 4. 7. 9.

Now touching the third propoſition, no man who underſtandeth, will imagine that the multitude of Chriſtians within one of thoſe great Cities was divided into as many pariſhes as there were meeting places for worſhip. It is a point of controverſie, who did beginne the diviſion of pariſhes; but whoſoever it was, whether *Evariſtus*, or *Higinus*, or *Dionyſius*, certaine it is, that it was not ſo from the beginning, I meane in the daies of the Apoſtles, for then it was all one to ſay, *in every City*, or to ſay, *in every Church*. That which is κατα πολιν, Tit. 1. 5. is κατ' εκκλησιαν Acts 14. 23. This is acknowledged by all Anti-prelaticall writers ſo farre as I know, and by the Prelaticall writers alſo.

The laſt propoſition, as it hath not beene denyed by any, ſo it is ſufficiently proved by the former, for that which made the multitude of Chriſtians within one City to be one Church, was their union under and their ſubjection

ſubjection unto the ſame Church governe-
ment and governours. A multitude may bee
one Church, though they doe not meete to-
gether into one place for the worſhip of God:
for example, it may fall forth, that a congre-
gation cannot meet together into one, but
into divers places, and this may continue ſo
for ſome yeares together, either by reaſon
of perſecution, or by meanes of the plague,
or becauſe they have not ſuch a large pariſh-
Church as may containe them all, ſo that a
part of them muſt meete in ſome other
place: but a multitude cannot be one Church,
unleſſe they communicate in the ſame
Church government, and under the ſame
Governours, (by one Church I meane one
Eccleſiaſticall Republike;) even as the like
union under civill government and gover-
nours maketh one corporation: when the
Apoſtle ſpeaketh to all the Biſhops of the
Church of *Epheſus*, hee exhorteth them all Acts 20.28.
to take heed to all the flocke, παντὶ τῷ ποιμνίῳ,
over which the holy Ghoſt had made
them overſeers, ſo that the whole was go-
verned by the common counſell and advice
of the Elders, as *Hierome* ſpeaketh: for the
ſame reaſon we ſay not the Churches, but
the Church of *Amſterdam*, becauſe all the
Paſtors and Elders have the charge and

governement of the whole.

From all which hath beene ſaid, I inferre this Corollary, *That in the times of the Apoſtles, the* Presbytery, *which was the ordinary Court of Iuriſdiction, which did ordaine, depoſe, excommunicate, &c. did conſiſt of ſo many* Paſtors and Elders, *as could with conveniency meete ordinarily together, which is a paterne and warrant for our Claſsicall* Presbyteries. I confeſſe there might be in ſome townes no greater number of Chriſtians then did meet together in one place, notwithſtanding whereof the Paſtor or Paſtors and Elders of that congregation, might and did manage the government of the ſame, and exerciſe juriſdiction therein. I confeſſe alſo that in thoſe Cities wherein there was a greater number of Chriſtians then could meet together into one place for the worſhip of God, the Preſbytery did conſiſt of the Paſtors and Elders within ſuch a City: for it cannot be proved that there were at that time any Chriſtian congregations in Landward Villages (the perſecution forcing Chriſtians to chooſe the ſhelter of Cities, for which reaſon many are of opinion that the Infidells in thoſe daies were called *Pagani*, becauſe they alone dwelt in *Pagis*) and if there had beene any ſuch adjacent to Cities, we muſt thinke the ſame

ſame ſhould have beene ſubject to the common Presbytery, their owne Paſtors and Elders being a part thereof. Howſoever it cannot be called in queſtion, that the Presbytery in the Apoſtolicall Churches, was made up of as many as could conveniently meete together, for managing the ordinary matters of Juriſdiction and Church-government. The Paſtors and Elders of divers Cities could not conveniently have ſuch ordinary meetings, eſpecially in the time of perſecution; only the Paſtors and Elders within one City had ſuch conveniency. And ſo to conclude, we doe not forſake, but follow the paterne, when we joyne together a number of Paſtors and Elders out of the congregations in a convenient circuit, to make up a common Presbytery, which hath power and authority to governe thoſe congregations; for if the Presbytery which we find in thoſe Cities wherein the Apoſtles planted Churches, bee a ſure paterne for our Claſſicall Presbyteries (as wee have proved it to bee) then it followeth undeniably that the authority of Church-government, of excommunication, ordination, &c. which did belong to that Primitive Presbytery, doth alſo belong to thoſe our Claſſicall or greater Preſbyteries.

CHAP. IV.

Of the authority of Synods Provinciall and Nationall.

TOuching Synods, I shall first shew what their power is, and thereafter give arguments for the same. The power of Jurisdiction which wee ascribe unto Synods, is the same in nature and kinde with that which belongeth to Presbyteries, but with this difference, that Presbyteries doe exercise it in an ordinary way, and in matters proper to the congregations within their circuit. Synods doe exercise this power in matters which are common to a whole province, or nation; or if in matters proper to the bounds of one Presbytery, it is in an extraordinary way; that is to say, when either Presbytery hath erred in the managing of their owne matters, or when such things are transferred to the Synod from the Presbytery, whether it be by appellation or by reference.

The power of Jurisdiction, whereof I speake is threefold, δεγματικὴ, διατακτικὴ, and κριτικὴ. So it is distinguished by our writers, and

and all theſe three doe in manner foreſaid belong unto Synods. In reſpect of Articles of faith or worſhip, a Synod is *Index* or *Teſtis*: In reſpect of externall order and policie in circumſtances, a contriver of a Canon, or διατύπωσις: In reſpect of hereſie, ſchiſme, obſtinacie, contempt and ſcandall, *Vindex*: not by any externall coactive power (which is peculiar to the Magiſtrate) but by ſpirituall cenſures.

The dogmaticke power of a Synod, is not a power to make new Articles of faith, nor new duties and parts of divine worſhip, but a power to apply and interpret thoſe Articles of faith, and duties of worſhip which God hath ſet before us in his written Word, and to declare the ſame to be inconſiſtent with emergent hereſies and errours. To this purpoſe it is that the Apoſtle calleth the Church *the pillar and ground of truth*, στῦλος καὶ ἑδραίωμα, 1 Tim. 3. 15. not δημόσιον, which may be expounded either *in ſenſu forenſi*, the Church is the publicke witneſſe, notifier and keeper of truth; even as in Courts and places of judgement, there are pillars to which the Edicts of Magiſtrates are affixed, that people may have notice thereof: or *in ſenſu architectonico*, as the Church by her faith is built upon Chriſt, or (wch is all one) upon the doctrine and truth of Chriſt,

Christ, contained in the writings of the Prophets and Apostles, and leaneth thereto: so by her Ministery she upholdeth, under-propeth, and conserveth this same truth, lest, as the Prophet speaketh, *Truth fall in the streets, & perish among men.* Truth standeth fast in the Church, and is kept firme, while it is professed, preached, propugned and maintained against all contrary errour and heresie. In the same sense saith the Apostle, that unto the Jewish Church *were committed the Oracles of God*, by them to be kept, interpreted, propagated, &c.

Rom. 3. 2.

By the Diatakticke power a Synod may institute, restore, or change, according to the condition and exigence of the Church, the externall circumstances in the worship of God, and Ecclesiasticall discipline: I meane those circumstances which are common both to civill and sacred Societies, the conveniencie whereof is determinable by the light of Nature, alwayes observing the generall rules of the Word, which commandeth that all bee done to the glory of God, that all bee done to edifying, that all bee done in order and decencie, that we give none offence, that wee support the weake, that we give no place to the enemies of the truth, nor symbolize with Idolaters, &c. Now for avoiding dis-

order,

order and diſconformity in a Nation profeſſing one Religion, it is fit that Nationall Synods give certaine directions and rules even concerning theſe rites and circumſtances, not having therein an Arbitrary or Autocratorke power, but being alwayes tied to follow the rules foreſaid.

The Criticke power of a Synod, is not a Lordly imperious dominiering over the flocke of Chriſt, which is not to bee ruled with force and cruelty; but it is the power of ſpirituall cenſures, as excommunication, depoſition, and the like, moſt neceſſary for the repreſſing of hereſie, errour, obſtinacie in wickedneſſe, and ſcandals, otherwiſe incorrigible. Without this power, ſchiſmes and offences could not bee cured, but ſhould the more increaſe; whileas liberty is left to heretickes, ſchiſmatickes, and obſtinate perſons, without any cenſure to peſter and diſturb a whole Nation, without any regard to the conſtitutions of a Nationall Synod.

But may one ſay, if the Decrees of a Synod concerning matters of Faith or Worſhip, may and ought to bee examined by the ſure rule of the word of God, and onely to be received when they doe agree therewith; and if alſo the conſtitutions of a Synod in externall circumſtances, doe not binde, except *ex*

æquo & bono, and *propter justas mandandi causas*: or, as Divines speak, *in casu scandali & contemptus*, and not for the meere will or authority of a Synod; and if therefore all Christians are by the private judgement of Christian discretion, following the light of Gods Word and Spirit, to try and examine all decrees and constitutions of any Synod whatsoever, to know whether they may lawfully receive the same, as our Divines maintaine and prove against Papists. If these things be so, it may seeme contrary to Christian liberty, and to the Doctrine of Protestant Writers, that Synods should exercise the foresaid Criticke power, or inflict any spirituall censures, at least upon those who professe, that after examination of the decrees or constitutions, they cannot bee perswaded of the lawfulnesse of the same.

Ans. 1. Our Divines by those their tenents, meane not to open a doore to disobedience and contempt of the ordinances of a Synod, but onely to oppugne the Popish errour concerning the binding power of Ecclesiasticall lawes, by the sole will and naked authority of the law-maker, & that Christian people ought not to seek any further reason or motive of obedience. 2. A Synod must ever put a difference betwixt those who out of a reall

scruple

ſcruple of conſcience, doe in a modeſt and peaceable way, refuſe obedience to their ordinances, ſtill uſing the meanes of their beter information, & thoſe who contemptuouſly or factiouſly diſobey the ſame, labouring with all their might to ſtrengthen themſelves in their errour, and to perſwade others to be of their minde. 3. This objection doth militate no leſſe againſt Eccleſiaſticall cenſures in a particular congregation, then in a Nationall Synod. And they who doe at all approve of Church cenſures to be inflicted upon the contemptuous and obſtinate, ſhall put in our mouthes an anſwer to objections of this kinde.

CHAP. V.

The firſt Argument for the authority of Synods, and the ſubordination of Preſbyteries thereto, taken from the light of nature.

HAving now deſcribed the power of particular Elderſhips (which we call Seſſions) of Claſſicall Presbyteries, and of Synods, Provinciall and Nationall,

It remaineth to confirme by Arguments the ſubordination and ſubjection of the particular Elderſhips, to the Claſſicall or common Presbytery, of both to the Provinciall Synod, and of all theſe to the Nationall Aſſembly: So that every one may perceive what reaſon the Church of Scotland hath to give unto the higher Eccleſiaſticall Courts authority over the lower.

I might inſiſt long enough both in the Teſtimonies of Proteſtant Writers, and in the examples of the reformed Churches abroad, as alſo in the examples of all the ancient Churches, all ſpeaking for this authority of Synods. But theſe I ſhall paſſe, becauſe I know Arguments from Scripture, and reaſon, are required, and ſuch we have to give.

Firſt of all I argue from the very light & law of nature. That ſame light of nature which hath taught our Common-wealth, beſide the Magiſtrates and Councells of particular Burghs, to conſtitute higher Courts, for whole Shires, Baliveries, Stuartries, Regalities: and above all theſe, the ſupreame Court of Parliament to governe the whole Nation, hath alſo taught our Church to conſtitute Synods Provinciall and Nationall, with power and authority above Presbyteries. Wee are farre from their minde who would

make

make Policy the Miſtreſſe, and Religion the Handmaid, and would have the government of the Church conformed to the government of the State as the fitteſt paterne. But this we ſay, in all ſuch things as are alike common to the Church and to the Common-wealth, and have the ſame uſe in both, whatſoever natures light directeth the one, it cannot but direct the other alſo; for as the Church is a company of Chriſtians ſubject to the Law of God, ſo is it a company of men and women who are not the outlawes of nature, but followers of the ſame. It is well ſaid by one, *Hoc certiſſimum eſt &c. This is moſt certaine, that the Church a certaine kinde of Republike for it hath all thoſe things which all Republikes muſt needs have, but it hath them in a different way, becauſe it is not a Civill, but an Eccleſiaſtic ll Republike.* And againe *Eſt ergo, &c. So that this Republike is much more perfect then all others, and therefore cannot but have the things which they have that are in dignity farre inferiour to it.* So ſaith *Robinſon* in his juſtif. of ſepar. pag. 113. *The viſible Church*, ſaith he, *being a politie Eccleſiaſticall and the perfection of all polities, doth comprehend in it whatſoever is excellent in all other bodies politicall.* Now ſo it is, that while as ſome hold the government of the Church to bee Monarchi-

I. B. A. C. de Polit. civil. & Eccleſ. p. g. 43.

call, others Ariſtocraticall, others Democraticall, others mixed of all theſe; they all acknowledge that the Church is a Republike, and ought to bee governed even as a Civill Republike, in things which are alike common to both: of this kinde are Courts and Judicatories, which doe alike belong to both, and have the ſame uſe in both, *viz.* for rule and government; therefore as natures light doth undeniably enforce diverſity of Courts in the Common-wealth, ſome particular, ſome generall, ſome lower, ſome higher, and the latter to have authority over the former, it doth no leſſe undeniably enforce the like in the Church, for *de paribus idem judicium.* It cannot bee denyed that the Church is led by natures light in ſuch things as are not proper to religious holy uſes, but alike common to civill ſocieties, at leaſt in ſo farre as they are common to ſacred and civill uſes. The Aſſemblies of the Church in ſo farre as they treat of things Spirituall and Eccleſiaſticall, after a ſpirituall manner, for a ſpirituall end, and doe conſiſt of ſpirituall Office-bearers as the members conſtituent, in as farre they are ſacred, and the Church is therein directed by the Word of God alone; yet the having of Aſſemblies and Conſiſtories, and divers ſorts of them, and the lower ſubordi-

ſubordinat to the higher, all this is not ſacred nor proper to the Church, but common with her to the Common-wealth, nature commending therein to the one, what it commendeth to the other.

CHAP. VI.

The ſecond Argument taken from Chriſts Inſtitution.

AS wee have Nature, ſo have wee Chriſts Inſtitution for us, and this ſhall appeare two wayes. Firſt, the fidelity of Chriſt, both in his Propheticall & in his Regall or Nomotheticall power, was ſuch, that he hath ſufficiently provided for all the neceſſities and exigences whatſoever of his Churches, to the end of the world. Therefore the Apoſtle calleth him as faithfull in all the houſe of God, as ever *Moſes* was, who delivered lawes ſerving for the government of the Church of the Jewes in all caſes. Whence we collect, that the authority of Claſſicall Presbyteries over the Elderſhips of particular congregations, and the authority of Synods over both, muſt needs have a warrant from Chriſts owne Inſtitution, Heb. 3. 2.

tion, because without this authority, there are very important necessities of the Churches, that cannot be helped. For example, in most congregations, especially in Dorps and Villages, when a Pastor is to be ordained, the particular Eldership within the congregation can neither examine and try his gifts, and his soundnesse in the faith, (which examination must necessarily precede his ordination,) nor can they discover him, in case he be a subtile and learned hereticke; nor yet can they pray in the congregation over him which is to be ordained, and give him publicke exhortation and admonition of his duty, God having neither given to the Elders of every congregation, nor yet required of them such abilities. What shall be done in this case? *Ainsworth* would have the worke stayed, and the Church to want a Minister, till she be able to doe her workes, and her duties which are proper to her. Alas! had Christ no greater care of the Churches then so? shall they be destitute of a Pastor, ever till they be able to try his gifts and soundnesse, and to exhort and pray at his ordination? and how shall they ever attaine to such abilities except they bee taught? and how shall they bee taught without a Teacher? Now the power and authority of Classicall Presbyteries, to ordain

Against Paget Chap. 5.

Past or

Paſtors in particular congregations, ſhall cut off all this deduction of abſurdities, and ſhall ſupply the Churches need. I may adde another inſtance concerning the Claſſicall Presbytery it ſelfe. What if the one halfe thereof turne to be hereticall, or it may bee the major part? They ſhall either have moſt voyces, or at leaſt the halfe of the voyces for them, and there ſhall bee no remedy, unleſſe the authoritative determination of a Synod be interpoſed.

Secondly, the will of Chriſt for Provinciall and Nationall Aſſemblies to bee over Presbyteries, even as they are over the Elderſhips of particular congregations, appeareth alſo in this. He hath given us in the new Teſtament, expreſſe warrant for Eccleſiaſticall Courts and Aſſemblies in generall, that ſuch there ought to be, for the right government of the Church, Matth. 18. 20. *Where two or three are gathered together in my Name, there am I in the midſt of them.* Act. 15. 6. *And the Apoſtles and Elders came together for to conſider of this matter.* From theſe and the like places, it is plaine, that Chriſt willeth juriſdiction to bee exerciſed, and controverſies to bee determined by certaine Conſiſtories and Aſſemblies. Of the exerciſe of juriſdiction is the firſt place, which I have cited

to bee understood, as the cohesion thereof with the purpose which went before, sheweth. Of determining questions of faith, and enacting lawes concerning things in their owne nature indifferent, is the other place to be understood, as wee shall heare afterward. So then, wee truely affirme of Ecclesiasticall Assemblies in generall, that power is commited by Christ unto them, to exercise jurisdiction, to determine questions of faith, and to make constitutions about things indifferent, in the case of scandall. Now the severall sorts of these Assemblies are not particularly determined in Scripture, but left to be particularly determined by the Church, conforme to the light of Nature, and to the generall rules of the Word of God. And the particular kindes of Assemblies appointed by the Church, conforme to the light and rules foresaid, doe fall within the compasse of those precepts which are *Divino-Ecclesiastica*: they are mixed (though not meere) divine ordinances. Even as the Scripture warranteth times of fasting, and times of thankesgiving, shewing also the causes and occasions of the same, and the right manner of performance; but leaveth the particular dayes of fasting and thankesgiving to be determined by the Church, according to the

the rules of the Word. In like manner, the Scripture commendeth the renewing of the covenant of God in a Nation that hath broken it, but leaveth the day and place for such an action to be determined by the Church, according to the rules foresaid. Now if the Church following the generall warrant and rules of the Word, command to fast such a day, to give thankes such a day, to renew the covenant of God such a day; these things are divine ordinances mixedly, though not meerely; and he who disobeyeth, disobeyeth the commandement of God. The like may be said of catechising, and of celebrating the Lords Supper, (which are not things occasionall, as the former, but ordinary in the Church:) they are commended by the warrants of Scripture, but the particular times and seasons not determined. The like wee say of the order to be kept in baptisme, and in excommunication, which is not determined in the Word, though the things themselves be. The removing of scandals, by putting wicked persons to publike shame, and open confession of their faults in the Church, hath certaine warrant from Scripture, yet the degrees of that publike shame and punishment, are left to be determined by the Church, according to the quality

of the ſcandall, and the rules of the Word. Now the Church appointeth ſome ſcandalous perſons to be put to a greater ſhame, ſome to a leſſer, ſome to bee one Sabbath in the place of publike repentance, ſome three, ſome nine, ſome twenty five, &c. And if the offender refuſe that degree of publike ſhame which the Church, following the rules foreſaid appointeth for him, hee may be truely ſaid, to refuſe the removing and taking away of the ſcandall, which the Word of God injoyneth him, and ſo to diſobey not the Church only, but God alſo. Juſt ſo the Scripture having commended unto us the governing of the Church, the making of Lawes, the exerciſe of Juriſdiction, the deciding of controverſies, by Conſiſtories and Aſſemblies Eccleſiaſticall, having alſo ſhewed the neceſſity of the ſame, their power, their rule of proceeding and judging, who ſhould ſit and voice in the ſame, &c. But leaving the particular kindes, degrees, times, bounds, and places of the ſame to be reſolved upon by the Church, according to the light of naturall reaſon, and generall rules of the Word: The Church for her part, following the generall warrant and rules foreſa d, together with the light of nature, hath determined and appointed Aſſemblies,

Provinciall

Provinciall and Nationall [illegible] to exerciſe reſpectively that power which the Word giveth to Aſſemblies in generall. The caſe thus ſtanding, we may boldly maintaine that thoſe particular kinds and degrees of Eccleſiaſticall Aſſemblies, are Gods owne ordinances mixedly, though not meerely.

But what can bee the reaſon, may ſome man ſay, why the Scripture hath not it ſelfe determined theſe kinds of Aſſemblies particularly. I anſwer, three reaſons may be given for it: 1. becauſe it was not neceſſary, the generall rules of the word together with natures light which directeth Commonwealths in things of the ſame kind, being ſufficient to direct the Church therein. 2. As ſeaſons and times for the meeting of Aſſemblies, ſo the juſt bounds thereof in ſo many different places of the world, are things of that kinde which were not determinable in Scripture, unleſſe the world had beene filled with volumes thereof; for, *Individua ſunt Infinita.* 3. Becauſe this conſtitution of Synods Provinciall and Nationall, is not univerſall for all times and places: for example, there may be in a remote Iſland 10. or 12. Chriſtian congregations, which beſide their particular Elderſhips have a common Preſbytery, but are not capable of Synods either

Provinciall or Nationall. Againe, let there bee an Iſland containing forty or fifty Chriſtian congregations, there ſhall be therein, beſide Presbyteries, one kinde of a Synod, but not two kindes. Beſides, the reformed congregations within a great Nation, may happly be either ſo few, or ſo diſperſed and diſtant, or ſo perſecuted, that they can neither have Provinciall nor Nationall Aſſemblies.

CHAP. VII.

The third Argument, taken from the Iewiſh Church.

IN the third place we take an Argument from the example of the Jewiſh Church; for as in their Common-wealth there was a ſubordination of civill Courts, every City having its proper Court, which did conſiſt of ſeven Magiſtrates, if we beleeve *Ioſephus*: the Thalmudicall tradition maketh two Courts to have beene in each City, the leſſer of the *Triumvirat*, and the greater of twenty three Judges. Beſide theſe, they had their ſupreame Conſiſtory, the civill Sanedrim, which governed the whole Nation, and had autho-

authority over the inferiour Courts. So was there alſo a ſubordination of Eccleſiaſticall Courts among them: they had a Conſiſtory in every Synagogue, for their Synagogues were appointed not only for prayer and praiſing of God, and for the reading and expounding of the Scriptures, but alſo for publike correction of offences, Acts 26. 11. They had beſides, a ſupreame Eccleſiaſtical Court, whereunto the whole nation, and all the Synagogicall Conſiſtories were ſubject. This Court having decayed, was reſtored by *Ieheſhaphat*, 2 Chron. 19.8. and it had the name of *Sanedrim*, common to it with the ſupream civill Court. From this Court did the reformation of that Nationall Church proceed, Nehem. 8. 13. *On the ſecond day were gathered together the chiefe of the fathers of all the people, the Prieſts and the Levits, unto Ezra the Scribe, even to underſtand the words of the Law. And they found written in the Law, &c.* Whether there was yet another Eccleſiaſticall Court, in the midle betwixt the Synagogue and the Sanedrim, called πρεσβυτέριον, a Presbytery, Luke 22.66. Acts 22. 5. and made up poſſibly out of the particular Synagogues within the Cities, I leave it to learned men to judge: howſoever, it is plaine from Scripture, that there was at leaſt a two-

fold

fold Eccleſiaſticall Court among the Jewes the Synagogue and the Sanedrim, the latter having authority above the former.

De Presbyt. Pag. 25.

Sutlivius denyeth both theſe, and ſo would have us believe that the Jewiſh Church had no Eccleſiaſticall Court at all. As for the Synagogues, he ſaith, they treated of things civill, and inflicted civill puniſhments, and a civill excommunication. That they inflicted civill puniſhment, he proveth from Mat. 10. and 23. and Luke 21. where Chriſt foretelleth that his Diſciples ſhould bee beaten in the Synagogues. That their excomunication was civill, he proveth by this reaſon, that Chriſt and his Diſciples when they were caſt out of the Synagogues, had notwithſtanding a free entry into the Temple, and acceſſe to the ſacrifices. *Anſw.* This is a groſſe miſtake; for 1. the civill Court was in the gate of the City, not in the Synagogue. 2. He who preſided in the Synagogue was called *the chiefe Ruler of the Synagogue*, Acts 18.8.17. the reſt who ſate and voiced therein, were called *the Rulers of the Synagogue*, Acts 13.15. They who ſate in the civill Court had no ſuch names, but were called Judges. 3. Our Saviour diſtinguiſheth the Synagogicall Courts from the civill Courts of judgement in Cities, calling the one Councells, the other

ther Synagogues, Matth. 10. 17. 4. The beating and ſcourging in the Synagogues was an errour and abuſe of the later times, the corrective power of thoſe Conſiſtories being properly ſpirituall, and ending in excommunication, Jo. 16. 2. Iſai. 66. 5. the liberty of which ſpirituall cenſures the Romans did permit to the Jewes, together with the liberty of their religion, after they had taken away their civill Juriſdiction. 5. Civill excommunication is an unknowne word, and his reaſon for it is no leſſe unknowne; for where he hath read that Chriſt or any of his Diſciples were excommunicate out of the Synagogues, and yet had free acceſſe to the Temple, I cannot underſtand, if it be not in the Goſpell of *Nicodemus*. I read, Luke 4. 28. 28. that Chriſt was in a great tumult caſt out of the City of *Nazareth*; but this I hope no man will call excommunication. The blinde man, Joh. 9. 34. was indeed excommunicated out of the Synagogue, but wee no where read that hee was thereafter found in the Temple: we read of Chriſts walking in *Solomons* porch, Jo. 10. 23. but that the blinde man was then with him, it can never be proved, and if it could, it ſhould not import any permiſſion or leave given to excommunicate perſons to enter into the Temple,

but that ſome were bold to take this liberty. 6. The caſting out of the Synagogue cannot be called civil excommunication, becauſe the communion and fellowſhip of the Jewes in the Synagogue was not civill, but ſacred: they met for the worſhip of God, and not for civill affaires. 7. If by civill excommunication he meane baniſhment, or caſting out of the City (for I conceive not what other thing this ſtrange word can import) then how doth he ſuppoſe that they had ſtill free acceſſe to the Temple, who were ſo excommunicated, for this importeth that they were ſtill in the City.

Wee have now evinced an Inferiour Eccleſiaſticall Court among the Jewes. Come we next to the ſupreame Court. That there was an high Eccleſiaſticall Sanedrim, diſtinct from the Civill Sanedrim, is obſerved by *Pelargus* on Deut. 17. and *Sopingius ad bonam fidem Sibrandi. pag.* 261. *& ſeq.* Beſide many others cited before, *part.* 1. *chap.* 11. And that it was ſo, wee prove from three places of the old Teſtament, to paſſe other places, from which certaine collections may be had to the ſame purpoſe.

Firſt, we finde Deut. 17. a diſtinction of two ſupreame Judicatories, to bee ſet in the place which the Lord ſhould chooſe to put his

his name there, the one of the Prieſts & Levits, the other of the Judges: & unto theſe two ſupreame Courts, the Lord appointed all matters which were too hard for the inferiour Judges in the Cities of the Land, to bee brought and determined by their authority, and the ſentence of the Prieſts or of the Judges to be obeyed both by the parties and by the inferiour Judges, under pain of death, v. 8. 9. 10. 11. 12. To this *Sutlivius* anſwereth, that there is only one Sanedrim in that place, which was civill, as appeareth by their judging of the cauſes of blood, and their receiving of appellations from the civill Judges mentioned in the preceding Chapter. As for the Judge which is ſpoken of v. 9. and 12. he ſaith, we muſt underſtand that it was the high Prieſt. *Anſ.* 1. The disjunctive *Or* doth diſtinguiſh the Judges from the Prieſts, verſe 12. as *Iunius* and *Ainſworth* doe rightly note upon that place: *The man that will doe preſumptuouſly, and will not hearken unto the Prieſt (that ſtandeth to miniſter there before the Lord thy God) or unto the Iudge.* Here a diſtinction betwixt the Court of the Prieſts and the Court of the Judges, which *Lyranus* alſo acknowledgeth. 2. The Chaldee readeth *Iudges* in the plurall. By the Judge, ſaith *Ainſworth*, is underſtood the high Councell or Senat of

De Presbyt. pag. 16.

Judges, even as they who are called Prieſts; verſe 9. are called the Prieſt, verſe 12. and 1 Chron. 4.42. many Captaines are in the Hebrew called *an head*. 3. The high Prieſt cannot be underſtood to bee the Judge there ſpoken of, both becauſe there were many Judges, as hath beene ſaid, and becauſe wee finde not in Scripture that ever the high Prieſt was called by the name of the Judge. 4. Whereas hee objecteth that the cauſes of blood, and other civill cauſes were judged in this Sanedrim. Wee anſwer, there were two ſeverall things in thoſe civill cauſes, the *Ius* and the *factum*. The *Ius* was judged in the Court of the Prieſts, becauſe as *Bilſon* teacheth; the civill Law of the Jewes was Gods judiciall Law, and it was to be ſought at the Prieſts mouth. But the fact being meerely civill, was judged by the civill Court. *Sutlivius* objecteth, that many inconveniences ſhall follow this diſtinction. 1. Judges are hereby made ignorant of the Law. 2. That two Courts of judgement are appointed in one ſentence. 3. That a Judge (the Prieſt) may give out a ſentence which he cannot execute. 4. That the civill Judges doe in vaine inquire concerning the fact which was before certaine by the Law, *nam ex facto jus oritur*. 5. That the civill Judges

De gub. Eccl. cap. 2. p. 43.

Mal. 2. 7.

Judges are dumbe Images, which muſt pronounce according to the ſentence of others. To the 1. we ſay that our diſtinction doth not import that the Judges were ignorant of the Law, but that it pertained not to them to judge the meaning of the Law, when the ſame was controverted among the Infeſiour civill Judges: this pertained to the Court of the Prieſts. 2. It is no abſurdity to expound a disjunctive ſentence of two ſeverall Courts. 3. He who anſwereth meerely, *de jure*, hath nothing to doe with execution of perſons more then theory hath to doe with practice, or abſtracts with concrets. 4. The fact can never be certaine by the ſentence, *de jure*. It is not the probation, but the ſuppoſition of the fact whereupon the expoſition of the ſence of the Law is grounded. 5. The cognition of the fact, not of the law, doth belong to an Inqueſt in *Scotland*, they are *Iudices facti*, *non Iuris*. Yet no dumbe Images I ſuppoſe. 6. Hee hath followed the Popiſh Interpreters, in making the Judge to be the High Prieſt, for ſo they expound it for the Popes cauſe; yet they themſelves acknowledge the diſtinction of *Ius* and *factum*. See *Corn. à lapide. in Deut.* 17.7. If error had not blinded this mans eyes with whom I deale, I ſhould believe hee had beene

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ſlumbring when theſe things fell from his pen.

But to proceed, as theſe two Sanedrims were inſtituted in the Law of *Moſes*, ſo were they after decay or deſuetude reſtored by *Iehoſhaphat*, 2 Chro. 19. 8. *Sutlivius* anſwereth, that wee have here only one Sanedrim which judged both the Lords matters, and the Kings matters, and that it was not an Eccleſiaſticall Court, becauſe it judged cauſes of blood, and other civill cauſes wherein appellation was made from the Judges of the Cities. By the Lords matters, hee ſaith, are meant criminall and civill cauſes, which were to be judged according to the Law of the Lord; and by the Kings matters are meant, his patrimony and domeſticke affaires. Anſwer 1. The Text diſtinguiſheth two Courts, one which medled with the Lords matters, whoſe preſident was *Amariah*, the chiefe Prieſt: another which medled with the Kings matters, whoſe preſident was *Zebadiah*. This is ſo plaine, that *Bonfrerius* the Jeſuit on Deut. 17. though he maketh the Prieſts to have beene the Judges, yet acknowledgeth two diſtinct Courts, 2 Chron. 19. 2. The words verſ. 8. muſt be underſtood reſpectively, as *Didoclavius* hath obſerved, which we explaine thus, *Moreover in Ieruſalem did Iehſhoaphat ſet of the Levits, and*

Ubi ſupra p. 20

Alt. dam. p. 24.

and of the Prieſts, and of the chiefe of the Fathers of Iſrael, for the judgement of the Lord, (that is for cauſes Eccleſiaſticall) *and* (repeat, *of the Levits, of the Prieſts, and of the chiefe of the Fathers of Iſrael) for controverſies* (about civill matters, ſaith *Piſcator.*) So that ſome of them were appointed to judge the one, and ſome of them to judge the other, which proveth not either that the Courts were one, or that the ſame men ſate in both, but only that ſome of the Prieſts and ſome of the Fathers of Iſrael were in both. 3. The Lords matters *Lavater* and *Piſcator* expound to be matters Eccleſiaſticall, the Kings matters to be things civill; and this expoſition comprehendeth all things which did fall within the power of thoſe Courts. But *Sutlivius* gloſſe doth not ſo; for there were ſundry things to be judged which were neither the Kings domeſticke affaires, nor yet cauſes criminall or civill, ſuch as were queſtions about vowes, queſtions about the meaning of the Law, and judging betwixt the holy and the prophane, betwixt that which was cleane and that which was uncleane. Theſe and ſuch like Eccleſiaſticall cauſes he leaveth out, and they are indeed left out of the power of the civill Sanedrim, and reſerved to the other, for in ſuch controverſies the Prieſts were to ſtand in judge-

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ment, Ezech. 44. 23.24. Laſtly, it is not to be thought, that the high Sanedrim ſhould neede to be troubled with the Kings domeſticke affaires, farre leſſe that this ſhould be made the one halfe of their commiſſion.

Now as wee have the inſtitution of theſe two ſupreame Courts, Deuter. 17. and the reſtitution of them both, 2 Chron. 19. ſo have we an example of both, Jerem. 26. For firſt, *Ieremiah* was condemned, as worthy of death, becauſe hee had ſpoken againſt the Temple and the holy place, verſe 8.11. and herein ſaith, *Oecolampadius* on that place, hee was a Type of Chriſt, againſt whom it was
Matth. 26. 66. pronounced in the Councell of the chiefe Prieſts and Elders, *He is* guilty of death. So did this Eccleſiaſticall Court conclude againſt *Ieremy*, *He is worthy of Death*: yet the contrary was concluded in the civill Sanedrim, verſe 10. 16. *This man*, ſay they, *is not worthy to dye, for he hath ſpoken to us in the Name of the Lord our God.* As much as to ſay, you Prieſts have given ſentence *de jure* againſt *Ieremiah*, but we finde he is not guilty of the fact whereof he is accuſed, for he hath ſpoken nothing but the truth which the Lord ſent him to ſpeake; therefore as you pronounced him worthy of death, upon ſuppoſition of the fact, wee now pronounce

that

that he is not worthy of death, becauſe wee finde him blameleſſe of the fact. *Sutclivius* denieth that the Prieſts were *Iudices Iuris*, and the Princes *Iudices facti*; only the Princes did againſt the will of the Prieſts ſet *Ieremiah* free, whom they had deſtinated to death: But ſay I, he muſt either deny that *Ieremiah* was judged in two ſeverall Courts, or not, if he deny it, the Text is againſt him: for that hee was judged in the Court of the Princes, it is plaine from verſe 10. 16. and that hee was judged in the Court of the Prieſts, is plaine alſo from verſe 8. 9. Where we finde the Prieſts comming together, neither to reaſon with *Ieremiah* (for they had no ſuch purpoſe as to give him leave to ſpeake for himſelfe) nor yet to accuſe him; for that they do before the Princes, v. 11. Therefore it was to give ſentence for their part againſt him, which they did; but if he grant that ſentence was given in two Courts, I would gladly know what difference could bee made betwixt the one ſentence and the other, except that difference, *de jure*, and *de facto*, eſpecially the ſame ſuting the Text ſo well as hath beene ſaid. Ubi ſupra pag. 28.

Of the veſtigies of thoſe two ſupreame Courts ſtill remaining in ſome ſort diſtinct, in the daies of Chriſt, I have ſpoken before.

Bertram. de polit. Jud. cap. 11. ex 18.

And now to proceed. Wee have proved the Antecedent of this our preſent Argument, concerning diſtinct Eccleſiaſticall Courts among the Jewes, and the ſubjection of the lower unto the higher of the Synagogue unto the Sanedrim.

Sutliv. de Preſ. cap. 2.

But we have yet more to doe, for the conſequence of our Argument is alſo denyed both by the Prelaticall faction, and by others (whom wee are more ſorry to contradict) holding that reaſons fetcht from the Jewiſh Church, doe better fit the Prelats, then the Conſiſtorians; howſoever now to fetch the forme of Government for the Church, from the Church of the Jewes, were, ſay they, to revive the old Teſtament. To me it ſeemeth ſtrange, that both the one ſide, and the other, doe when they pleaſe, reaſon from the formes of the Jewiſh Church, and yet they will not permit us to reaſon in like manner. The former goe about to prove the Prelacy by the high Prieſthood, and the lawfull uſe of Organs in the Church, from the like in the Temple of *Solomon*. The latter doe argue, that a Congregation hath right not only to elect Miniſters, but to ordaine them, and lay hands on them, becauſe the people of Iſrael laid hands on the Levits. That the maintainance of the Miniſters of the Goſpell, ought

Robinſon Juſt. of ſepar. p. 163.

See apolog. againſt the Oxford D.D. p. 47. 48. 59. 62. Robinſon Juſtif. p. 122. 123.

ought to bee voluntary, becauſe under the Law, God would not have the Prieſts and Levits, to have any part or inheritance in the Land of Canaan, but to be ſuſtained by the Offerings and Altars of the Lord. That the power of excommunication is in the body of the Church, becauſe the Lord laid upon all Iſrael the duty of removing the uncleane, and of putting away leaven out of their houſes at the feaſt of Paſſover. Is it right dealing now, to forbid us to reaſon from the forme of the Jewes. I will not uſe any further expoſtulation, but let the Reader judge. The truth is this, even as that which is in a childe, as he is a childe, agreeth not to a man, yet that which is in a childe, as he is *animal rationale*, agreeth alſo to a man: ſo what wee finde in the Jewiſh Church, as it was Jewiſh, or in infancy and under the pedagogy of the Law, agreeth not indeed to the Chriſtian Church. But whatſoever the Jewiſh Church had, as it was a politicall Church, or Eccleſiaſticall Republike (of which ſort of things, the diverſity and ſubordination of Eccleſiaſticall Courts was one) doth belong by the ſame reaſon to the Chriſtian Church. I ſay further, though the Common-wealth and civill Policy of the Jewes, be not in all points a patterne to our civill Policy, yet I am ſure

it is no errour to imitate the civill policy of the Jewes, in such things, as they had, not for any speciall reason proper to them, but are common to all well constituted Common-wealths, and so wee may argue from their Common-wealth, that it is a good policy to have divers civill Courts, and the higher to receive appellations from the Inferiour, as it was among them. Shall wee not by the very like reason fetch from their Ecclesiasticall Republike, diversity of Spirituall Courts, and the supreame to receive appellations from the Inferiour, because so was the constitution of the Jewish Church, and that under the common respect and account of a politicall Church, and not for any speciall reason, which doth not concerne us.

CHAP. VIII.

The fourth Argument, taken from Acts 15.

THE example of the Apostolicall Churches, Acts 15. maketh for us. The Churches of *Antioch*, *Syria*, and *Cilicia*, being troubled with the question about

about the Jewiſh Ceremonies, the matter was debated and diſputed at *Antioch*, the chiefe towne of *Cœloſyria*, where *Paul* and *Barnabas* were for the time. It is very probable, that ſome out of the other Churches in that Province, as alſo out of the Churches of *Cilicia*, were preſent in that meeting and conference, for they were troubled with the very ſame queſtion, no leſſe then the Church of *Antioch*. Howſoever the matter could not be agreed upon in that meeting, but a reference thereof, was made to a more generall aſſembly at *Hieruſalem*, and for that effect *Paul* and *Barnabas*, and others with them, were ſent thither. All this is cleare by comparing verſe 2. with 23. Hereupon the Apoſtles and Elders did ſynodically come together at *Hieruſalem*, and decided the queſtion, giving forth decrees to be obſerved by the particular Churches, Acts 15.6.28. and 16.4. We will not diſpute what ſort of Synod this was, only that it was a Synod with authority over many particular Churches and Congregations, and whereunto the meeting at *Antioch* (whether it was provinciall, or Presbyteriall only) did referre the determination of the queſtion about Jewiſh ceremonies.

It is anſwered by ſome. 1. That the reaſon of ſending *Paul* and *Barnabas* to *Hieruſalem*,

was to know whether these teachers who pressed the observation of the ceremoniall Law had any such commission from the Apostles and Elders, as they pretended. 2. That there is here no Synod, nor assembly of the Commissioners of divers Churches, for there were no Commissioners from the rest of the Churches in *Iudea*, *Galilee*, and *Samaria*, mentioned Acts 9. 31. nor from the Churches of the Gentiles mentioned Act. 14. 23. neither were *Paul* and *Barnabas*, and the rest who went with them, Commissioners to represent the Church of *Antioch*, but messengers only to make narration of the case. 3. Not only the Apostles and Elders, but the whole Church at *Hierusalem* met together. 4. If the resolution which was given, be considered, as the judgement of the Church at *Hierusalem*, it was only her advice to her sister Churches, if otherwise considered, it was a decree absolutely Apostolicall, and divine Scripture by infallible direction from the holy Ghost, and for that reason imposed upon all the Churches of the Gentiles, though they had no Commissioners there.

These answers had need to be stronger, before that so many Fathers, Councells, and Protestant Writers, who have understood the matter otherwise should all bee put in an error.

To

To the first wee reply, that the reason of sending *Paul* and *Barnabas* to *Hierusalem*, was not so much to know, whether these teachers had commission from the Apostles and Elders, to presse the keeping of the Law of *Moses*, as to get a resolution of the question it selfe, verse 2. *about this question.* Now the question was not what commission the Apostles had given to those teachers, but whether they should be circumcised, after the manner of *Moses*, verse 1.

To the second, we say, that if *Paul* and *Barnabas*, were messengers to make narration of the case, certainely they were more then sufficient messengers, and there was no need of others to be joyned in message with them, so that it appeareth the rest who were sent with them were Commissioners to represent the Churches which sent them. Neither is it credible, but that all the Churches of *Syria* and *Cilicia*, which were in the same case, with the Church of *Antioch*, did send their Commissioners also to *Hierusalem*, for otherwise, how could the Apostles and Elders have so certaine and perfect intelligence of the case of those Churches, verse 23. Beside it had beene a great neglect in those Churches, if they had not sent some to *Hierusalem*, as the Church of *Antioch* did, for if it was expedi-

expedient which *Antioch* did, they ought nó leſſe to have done it, their caſe being the ſame. Moreover it may be collected from verſe 3. that the other Churches through which *Paul* and *Barnabas* paſſed in their journey, did ſend ſome companions along with them, to joyne with them in their errand, and to give their conſent in the meeting at *Hieruſalem*, unto that which was to be concluded. This is the obſervation of *Cajetan*, *Menizerus*, *Calvin*, *Gualther*, and other Interpreters upon that place.

Laſtly, it is no way probable, that the Apoſtles and Elders at *Hieruſalem*, together with thoſe who were ſent from the Churches of *Antioch*, *Syria*, and *Cilicia*, and the other Churches through which *Paul* and *Barnabas* did travell, would come together without acquainting the reſt of the Churches of Judea, which were ſo neare at hand, and might ſo eaſily ſend their Commiſſioners to *Hieruſalem*.

To the third wee reply, that it cannot bee proved from the Text that the body of the Church of *Hieruſalem* was preſent, but rather it appeareth from verſe 6. that they were not preſent, as hath been ſaid before. And though it were granted that they were preſent, yet Maſter *Robinſon* ſaith, that they did no more

Chap. 1.

Juſtif. p. 266.

more then conſent to the decree.

To the laſt anſwer, it is certaine that the concluſion of that meeting at *Hieruſalem*, was not a naked counſell and advice, but a decree impoſed with authority upon the Churches, Acts 15. 28. and 16. 4. and 21. 25. And whereas it is affirmed, that the decree was meerely Apoſtolicall, and that the Elders did no more then conſent thereto, even as the brethren did, this is manifeſtly againſt the Text, for Acts 16. 4. It is ſaid of *Paul* and *Silas*, *as they went through the Cities they delivered them the decrees for to keep, that were ordained of the Apoſtles & Elders that were at Hieruſalem.* And Act. 21. 25. all the Elders ſpeaking to *Paul*, ſay, *as touching the Gentiles which believe, wee have written and concluded that they obſerve no ſuch thing.* That this was ſpoken by al the Elders, is plain from v. 18. 19. 20. So then the Elders did decree, ordaine, and conclude theſe things to bee impoſed upon the Churches of the Gentiles, and not the Apoſtles only. Now the Elders of the Church of *Hieruſalem*, had

Robinſon ib.

Whittak. controv. 3. de con. quæſt. 3.

Sed ut totam iſtam controverſiam dirimamus inſpiciamus (quæſo) Act. 16. 4. Ubi legimus Paulum civitatibus illis per quas tranſibat tradidiſſe τὰ δόγματα τὰ κεκριμένα ὑπὸ τῶν ἀποστόλων καὶ πρεσβυτέρων, &c. Quis nunc negare audet Presbyteros quoq; habuiſſe ſuffragium; deciſivum, &c. Nam vocabulum κεκριμένα ad utroſq; ex æquo accommodatur, Hæc tam aperta ſunt ut nemo refragari poſſit.

no authority to impoſe their decrees upon all the Churches of the Gentiles, with whom they had nothing to doe, as Mr. *Robinſon* ſaith truely. Since therefore theſe things were impoſed upon the Churches of the Gentiles, as the decrees ordained by the Apoſtles and Elders, at *Hieruſalem*, this doth neceſſarily import that there were in that meeting, delegates and commiſſioners from the Churches of the Gentiles, which did repreſent the ſame.

CHAP. IX.

The fifth Argument, taken from Geometricall proportion.

AS is the proportion of 3. to 9. ſo is the proportiō of 9. to 27. of 27. to 81. &c. This rule of Giometricall proportion affoordeth us a fifth Argument for the point in hand. If we ſhould grant the government of the Church to be popular, then by what proportion, one or two are ſubject to a whole congregation, by the ſame proportion is that congregation ſubject to a provinciall, or a nationall congregation. I meane, if all the

the congregations in a province or a nation were aſſembled into one collective body (as all the males of the Jewes did aſſemble thrice in the yeare at *Hieruſalem*, and as in the daies of the Judges, the whole congregation of the children of Iſrael was aſſembled together in *Mizpeh*, as one man, from *Dan* even to *Beerſheba*, foure hundred thouſand men, to try the cauſe of the Levite, and to reſolve what to doe there-anent, which meeting of the Nation, was ordered by Tribes, the Tribes by families, the families by perſons) in that caſe any one particular congregation behoved to be ſubject to the generall congregation, by the ſame reaſon whereby one man is ſubject to the particular congregation, whereof he is a member, becauſe the whole is greater then a part, and the body more then a member. Now the ſame rule holdeth in the repreſentatives of Churches, whether we compare them with the collectives, or among themſelves. If wee compare the repreſentatives with the collectives, then as one congregation is governed by the particular Elderſhip repreſenting the ſame, by the like proportion are 14. or 16. congregations governed by a Claſſicall Presbytery repreſenting them all: by the ſame proportion are all the congregations in a province ſubject Jud. 20. 1.

to a Provinciall Synod: by the ſame ought all the congregations in a nation to be ſubject to a nationall Aſſembly, all of them being either mediatly or immediatly repreſented in the ſame; for as *Parker* ſaith well, many Churches are combined into one, in the very ſame manner, as many members are combined into one Church.

De pol. Eccl. p. 331. 332.

If we compare the repreſentatives among themſelves, then by what proportion, a particular Elderſhip repreſenting only one congregation, is leſſe in power and authority, then a Claſſicall Presbytery which repreſenteth many congregations? by the ſame proportion is a Claſſicall Presbytery leſſe in power and authority then a Provinciall Synod, and it leſſe in authority then a Nationall Synod. So that the authority of Presbyteries whether Parochiall or Claſſicall being once granted, this ſhall by the rule of proportion inferre the authority of Synods. I know that Synods are not ordinary Courts, as Presbyteries are; but this and other differences betwixt them I paſſe: the argument holdeth for the point of authority, that Synods when they are, have authority over all the Churches in a Province or a nation, even as Presbyteries have over the congregations within their bounds.

CHAP.

CHAP. X.

The sixth Argument, taken from necessity.

WEE have another reason to adde, and it is borrowed from lawlesse necessity, for without a subordination among Ecclesiasticall Courts, and the authority of the higher above the inferiour, it were utterly impossible to preserve unity, or to make an end of controversie in a Nation. A particular congregation might happily end questions and controversies betwixt the members thereof, and so keepe unity within it selfe (and not so neither, if the one halfe of the congregation be against the other) but how shall controversies betwixt severall congregations be determined, if both of them bee independent? how shall plurality of religions be avoided? how shall an apostatizing congregation be amended?

It is answered: 1. If a particular congregation neglect their duty, or doe wrong to another, the civill sword may proceed against them to make them doe their duty. 2. A particular congregation ought in difficult cases

to consult with her sister Churches, for so much reason dictats, that in difficult cases, counsell should be taken of a greater number. 3. Sister Churches when they see a particular congregation doing amisse out of that relation which they have to her, being all in the same body, under the same head, may and ought to admonish her, and in case of generall apostacy, they may withdraw that communion from her, which they hold with the true Churches of Christ.

But these answers are not satisfactory. The first of them agreeth not to all times, for in times of persecution, the Church hath not the help of the civill sword: a persecuting Magistrate will bee glad to see either division or apostasie in a congregation; but so it is, that Christ hath povided a remedy, both for all the evills and diseases of his Church, and at all times. The Church (as was said before) is a Republike, and hath her lawes, Courts, and spirituall censures within her selfe, whether there be a Christian Magistrate, or not.

The second answer leaveth the rectifying of an erring congregation to the uncertainty of their owne discretion, in seeking counsell from a greater number. And moreover, if this be a dictate of reason to aske counsell of a greater number, when the counsell of a few

cannot

cannot reſolve us, then reaſon being ever like it ſelfe, will dictate ſo much to a congregation, that they ought to ſubmit to the authority of a greater number, when their owne authority is not ſufficient to end a controverſie among them.

To the third anſwer wee ſay, that every private Chriſtian may and ought to withdraw himſelfe from the fellowſhip and communion, either of one man, or of a whole congregation, in the caſe of generall apoſtaſie. And ſhall an apoſtatizing congregation be ſuffered to runne to hell, rather then any other remedy ſhould bee uſed, beſide that (commonly ineffectuall) remedy which any private Chriſtian may uſe? God forbid.

What I have ſaid of congregations, I ſay alſo of Claſſicall Presbyteries. How ſhall ſentence be given betwixt two Presbyteries at varience? How ſhall a divided Presbytery be re-united in it ſelf? How ſhall an Hereticall Presbytery be reclaimed? How ſhall a negligent Presbytery be made to doe their duty? How ſhall a deſpiſed Presbytery have their wounded authority healed againe? In theſe and ſuch like contingent caſes, what remedy can bee had, beſide the authority of Synods?

CHAP.

CHAP. XI.

Objections made against the authority of Synods, answered.

THey who dislike the subordination of particular congregations unto higher Ecclesiasticall Courts, object against us, our Saviours precept, *Tell the Church*. Wherefoever wee read in Scripture of a visible politicall Church, and not of the invisible Catholike Church, it is ever meant, say they, of a particular congregation, used to assemble in one place for the exercise of Gods publike worship; & when the Scripture speaketh of a whole Province or Nation, the plurall number is used, as the Churches of *Galatia*, the Churches of *Macedonia*, the Churches of *Asia*, &c. Wherefore our Saviour in those words did deliver the power of Ecclesiasticall Jurisdiction, neither to Classicall Presbyteries, nor to Synods, but to particular congregations only.

Matth. 18.17.

Answ. 1. This place proveth indeed that particular Churches have their owne power of Jurisdiction, but not that they alone have it. 2. Yea, it proveth that they alone have it not,

not, for Christ hath a respect to the forme of the Jewes, as is evident by these words, *Let him be unto thee as an Heathen or a Publican.* Now we have proved that there was among the Jewes an high Ecclesiasticall Sanedrim, beside the particular Synagogicall Courts: So that by pointing out the forme of the Jewish Church, hee recommendeth a subordination, and not an independency of particular Churches. 3. By the Church in that place is meant the competent Consistory of the Church, and so it agreeth to all Ecclesiasticall Courts respectively. This sence is given by *Parker*, though he be most tender in the vindication of the liberty of congregations. *Namcum, &c.* For, saith he, *since Christ would have every man to be judged by his owne Church, Matth. 18. or if the judgement of his owne Church should displease him, yet ever it must be by the Church, that is, by a Synod of many Churches.* 4. As for the reason alledged for proofe of the contrary exposition, I oppugne it both by reason, and by their owne Tenents, and by Scripture. By reason, because the rule of Geometricall proportion (whereof we have before spoken) proveth a congregation to bee a part of a Nationall Church, even as one man is a part of a congregation; for as five is the hundreth part of

D: pol Eccl. lib. 3. cap. 10. p. 318.

five hundreth, ſo is five hundred the hundreth part of fifty thouſand. By their own grounds, becauſe they hold the forme of a viſible Church, to conſiſt in the uniting of a number of viſible Chriſtians into one, by the bond of a holy covenant to walke in all the wayes of God. Then ſay I, we may ſay the Church of *Scotland*, as well as the Churches of *Scotland*, becauſe all the particular Churches in *Scotland*, are united together into one, by the bond of a Nationall oath and covenant, to walke in all the waies and ordinances of God. By Scripture alſo, becauſe Acts 8.1. we read of the Church at *Hieruſalem*, not the Churches: Howbeit there were at that inſtant above eight thouſand Chriſtians at *Hieruſalem*, and all theſe ſtill in the City (for the firſt ſcattering of them followeth thereafter in that Chapter.) This great number, neither did, nor could uſually aſſemble into one place for the worſhip of God, but they met κατ' οἶκον, houſe by houſe, Acts 2.46. And whereas objection is made to the contrary from Acts 2.44. and 5.12. and 6.2. Wee have before anſwered to the firſt of theſe places, for it is to be expounded by Acts 4.32. they were in one; that is, they were of one heart, and of one ſoule. The ſecond place may be expounded of the Apoſtles, and the preceding words

words favour this expoſition; but though it ſhould be take of the multitude, it proveth not their meeting together into one place for the worſhip, of God, for it was an extraordinary confluence, upon an extraordinary occaſion of that which had befallen to *Ananias* and *Saphira*. The laſt place proveth no more, but an extraordinary and occaſionall meeting, and it is alſo to be underſtood that they met *turmatim*, as foure hundred thouſand men did aſſemble together, Jud.20.1.

Another Scripturall inſtance we give from 1 Pet.1.1. with 5.2. the Apoſtle writing to the diſperſed Jewes in ſeverall Provinces, calleth them all one flocke. Wee read that *Laban* had many flockes, Geneſ. 30. 36. 38. yet are they all called one flocke, verſe 31.32. ſo were all the flockes of *Iacob* called one flocke, Geneſ. 32. 7. and 33. 13. In like manner every one of the particular Churches among thoſe diſperſed Jewes was a flocke, but compared with the whole, it was but a part of the flocke. It is no more abſurd to ſay that a congregation is both a body, in reſpect of its owne members, and a member in reſpect of a Nationall Church, then it is to ſay, that every beleever conſidered by himſelfe, is a tree of righteouſneſſe, and a Temple of God, yet compared with others, he is a

branch of the Vine, and a ſtone of the Temple, for all thoſe waies is hee called in Scripture.

Sundry particular flockes may bee called one flocke, three waies: 1. *Reſpectu paſtorum*, when the ſame ſhepheards overſee & take care of the whole. See an example both of the one kinde of ſhepheards, Luke 2. 8. and of the other, Acts 20. 28. 2. *Reſpectu pabuli*: So *Paul Baynes* ſpeaking of the Low Countries, where ſundry congregations in one City make but one Church, ſaith, that the ſheepe *feed together intoone common paſture, though they bite not on the ſame individuall graſſe.* 3. *Reſpectu pedi*, when many congregations are governed by the ſame Paſtorall ſtaffe of Eccleſiaſticall Lawes and Diſcipline.

Dioceſ. tryall. pag. 21.

It is further objected, that Presbyteriall government and the authority of Synods, doe rob the congregations of their rights and liberties, no leſſe then the Prelacy did; ſo that the Churches of Chriſt in the removall of Epiſcopacy, have changed *Dominum* only, not *Dominium*. Anſwer. There is a vaſte difference; for 1. Epiſcopall governement is Monarchicall, and Chriſt hath left no Eccleſiaſticall Juriſdiction to bee exerciſed by one man. Presbyteriall and Synodicall governement is partly democraticall, in reſpect of the election

election of Miniſters and Elders, and the doing of matters of chiefeſt importance, with the knowledge and conſent of congregations: partly ariſtocratical in reſpect of the parity of Presbyters and their conſiſtorial proceedings and decrees. The Monarchicall part is Chriſts peculiarly. 2. The Prelacy permitteth not to congregations any act of their owne Church government, but robbeth them of their particular Elderſhips, which (as *Parker* well noteth) the Claſſicall Presbyteries doe not. 3. *It is one thing*, ſaith *Baynes*, *for Churches to ſubject themſelves to a Biſhop and Conſiſtory, wherein they ſhall have no power of ſuffrage: Another thing to communicate with ſuch a Preſbytery, wherein themſelves are members and Iudges with others.* 4. The congregations did not agree nor conſent to Epiſcopall government, but were ſufferers in reſpect of the ſame, but they doe heartily agree to the governement of Presbyteries and Synods, in witneſſe whereof they ſend their Commiſſioners thither to concur, aſſiſt, & voice. 5. Speciall reſpect is had in Presbyteries and Synods, to the conſent of congregations, in all matters of importance, which are proper unto the ſame. This the Prelacy did not regard. 6. Presbyteries and Synods doe not (which the Prelats did) imperiouſly and by their ſole

De pol. Eccl. pag. 358.

Ubi ſupra.

arbitrement domineer over congregations, for their power is directive only, miniſteriall, and limited by the Lawes of God and Nature, and the lawdable Eccleſiaſticall Lawes received and acknowledged by the congregations themſelves. 7. Experience hath ſhewed us Presbyteriall and Synodicall government to bee, not only compatible with, but moſt conduceable for the ſupportment and comfort of congregations: whereas Epiſcopall government draweth ever after it *malum tandem*, and a generall grievance of the Churches.

Some other objections there are, for obviating whereof I ſhall premit and explane a diſtinction which ſhall ſerve to anſwer them all. We may conſider a viſible Church, either metaphyſically or politically. It is one thing to conſider men as living creatures endued with reaſon, another thing to conſider them as Magiſtrates, maſters, fathers, children, ſervants, &c. So is it one thing to conſider a viſible Church as a ſociety of men and women ſeparated from the blinde world by divine vocation, and profeſſing together the Goſpell of Jeſus Chriſt. Another thing to conſider it as a political body, in which the power of Spirituall government and Juriſdiction is exerciſed, ſome governing and ſome governed. Theſe

These are very different considerations; for first, a visible Church being taken entitatively or metaphysically, her members doe ordinarily communicate together in those holy things which fall under the power of order, which I may call *sacra mistica*; but being taken politically, her members communicate together in such holy things as fall within the compasse of the power of Jurisdiction, which I may call *sacra politica*. Secondly, Infants under age being initiated in Baptisme, are actually members of the Church in the former consideration, but potentially only in the latter, for they neither governe, nor yet have the use of reason to bee subject and obedient to those that doe governe. Thirdly, one must necessarily bee a member of the Church metaphysically before he can be a member of the Church politically, but not contrariwise. Fourthly, many visible Churches have sometimes beene, and may bee without Officers, and so without Ecclesiasticall government and exercise of Jurisdiction for that time, yet still retaining the Essence of true visible Churches: whereas a Church which never yet had any Officers ordained therein (of which kinde there have beene many at the first conversion of a Nation to the Gospell) or which hath

loſed all her Officers by death or perſecution, is not for that time an Eccleſiaſticall Republicke, nor can bee ſuch till ſhe have Officers. This if they had obſerved who have taken ſo great paines to prove that there hath beene, and may bee a Church without Officers, it ſhould happily have made them thinke their labour loſt. It might alſo have taught *Henry Iacob* to diſtinguiſh betweene a Church viſible and a Church miniſteriall or politicall, and not to underſtand theſe three termes to be all one, as he doth in his Letter, bearing date the 4. of September 1611. pag. 9. Fiftly, my being a member of any one viſible Church metapyhſically, giveth me right and title to communicate with another viſible Church (where for the time I am) *in ſacris miſticis*, ſuch as the word, prayer, &c. But my being a member of any one viſible Church politically doth not give me right and title to communicate with another viſible Church (where for the time I am) *in ſacris politicis*, ſuch as ordination, depoſition, excommunication, &c. Hereunto doth Maſter *Robinſon* aſſent in theſe words, *As a man once baptized is alwaies baptiſed, ſo is he in all places and Churches where hee comes (as a baptized perſon) to enjoy the common benefits of his baptiſme, and to diſcharge the common duties which depend*

Juſtific. p. 317.

depend upon it. But a Paſtor is not a Paſtor in every Church where hee comes upon occaſion, neither can he require in any other Church, ſaving that one over which the holy Ghoſt hath ſet him, that obedience, maintainance, and other reſpects which is due ~~from~~ to the officers from the people; neither ſtands he chargea with that miniſtery and ſervice, which is due to the people from the officers. The like he would have ſaid of an Elder or a Deacon.

Now this diſtinction ſhall ſerve to anſwer the objections following.

Object. Every Chriſtian congregation is a compleat body Eccleſiaſticall, having all the parts and members, and all Church officers which Chriſt hath inſtituted: therefore every congrgation hath the full and abſolute power of Eccleſiaſticall Juriſdiction. Juſtif. of Separ. pag. 112.

Anſw. Every Chriſtian congregation is a compleate Church or body of Chriſt metaphyſically; that is, hath the compleate Eſſence of a true viſible Church; yet every ſuch congregation is not a compleate Eccleſiaſticall Republicke, except in ſome certaine caſes whereof wee have ſpoken, Chap. 2. And further, we anſwer, that this objection is alledged to prove, that 2 or 3 gathered together in the name of Chriſt, have immediately under Chriſt the full power of Eccleſiaſticall

Juriſdiction; but ſure I am, that two or three gathered together in the name of Chriſt, are not a compleate Eccleſiaſticall body, having all the members and officers which Chriſt hath inſtituted, for they themſelves hold that in every Chriſtian congregation by Chriſts inſtitution there ought to be at leaſt five Officers, and when thoſe five ſhall be had, there muſt bee alſo a certaine number of Chriſtian people to bee governed and ſerved by them. So that their Argument doth not conclude that which they propoſe to preve.

Ibid. *Object.* They who have received Chriſt, have received with him power and right to enjoy him (though all the world bee againſt it) in all the meanes and ordinances by which hee doth communicate himſelfe unto the Church. But every company of faithfull people, if they be but two or three have received Chriſt; therefore every ſuch company, &c.

Anſw. If by the receiving of Chriſt, they meane the receiving of Chriſt on his throne, or the receiving of him in his ordinance of Church government, then wee deny their Aſſumption, for every company of faithfull people is not a Church politically, as wee have ſhewed already. Indeed every company of faithfull people who have received Chriſt in this manner, hath right and title to enjoy

enjoy him in all his politicall ordinances, yet not independently, but by a certaine order and ſubordination. But if by the receiving of Chriſt, they meane receiving of him to ſalvation, or receiving of him by his Word and Spirit, wee grant, that not onely every company of faithfull people, but every particular Chriſtian hath right and title to enjoy him in the myſtical ordinances of the Word, Prayer, &c. as often as the ſame can be had; yea further, hath right and title to the fruit and benefit of Eccleſiaſticall juriſdiction, the exerciſe whereof is committed by Chriſt to the officers of the Church, *Intuitu Eccleſiæ tanquam finis*. But that every company of faithfull people, who have received Chriſt to ſalvation, hath right and title to enjoy him in his politicall ordinances, by their own exerciſing of all Eccleſiaſticall juriſdiction, and that independently, this is more then either hath been, or can be proved.

Object. The union betwixt Chriſt and his Church is as ſtrait and immediate, as the union betwixt the Vine and the Branches, betwixt the Head and the Body, betwixt the Husband & the Wife. Therefore every true Church of Chriſt hath direct & immediate intereſt in, and title to Chriſt himſelf, & the whole new Teſtament, and every ordinance of it. Ibid.

Answ. The ſtrait union betwixt Chriſt and the Church, expreſſed by theſe compariſons, cannot bee underſtood of the Church taken politically: for then the union betwixt Chriſt and the Church might be diſſolved as often as the Church ceaſeth to bee ordered and governed as an Eccleſiaſtical Republick. It is therefore to be underſtood either of the inviſible Church, or at moſt of the viſible Church taken metaphyſically or entitatively. But I adde withall, it is to be likewiſe underſtood of every faithfull Chriſtian: ſo that not onely every true Church, but every true member thereof, by vertue of this union, hath direct and immediate title to Chriſt, and to the benefit of all his ordinances for his edification and ſalvation. This is all which the Argument can conclude, and it maketh nothing againſt us.

Ibid. *Object.* If all things be the Churches, even the Miniſters themſelves; yea, though they be *Paul*, *Cephas*, and *Apollos*, then may every Church uſe and enjoy all things immediately under Chriſt. But the firſt is true, 1 Cor. 3. 24. Therefore, &c.

Answ. Neither can this prove any thing againſt us: for when the Apoſtle ſaith, *All things are yours, whether Paul, &c.* He is to bee underſtood not onely collectively of the Church,

Church, but diſtributively of every beleever, who hath right to the comfortable enjoyment and benefit of theſe things, ſo farre as they concerne his ſalvation. And in like manner I may ſay to the members of any particular congregation, All things are yours, whether Seſſions or Presbyteris, or Provinciall or Generall Aſſemblies. And what wonder? God is our Father, Chriſt our elder brother, the holy Ghoſt our Comforter, the Angels our keepers, heaven our inheritance. It is therefore no ſtrange thing to heare, that as the ſupreame civill power, ſo the ſupreame Eccleſiaſticall power is appointed of God in order to our good and benefit, that it be not a tyranny for hurt, but a miniſtery for help. Rom. 13. 4. 2 Cor. 13. 8. 10

Theſe are the objections alledged for the independent and abſolute power of congregations. But this is not all: Some ſeeme to make uſe of our own weapons againſt us, making objection from the forme of the Jewiſh Church, which wee take for a plat-forme. They ſay, that the Synagogues of the Jewes were not as the particular Churches are now: for they were not entire Churches of themſelves, but members of the nationall Church, neither could they have the uſe of the moſt ſolemne parts of Gods worſhip, as were then Ibid. Pag. 344.

Pag. 161. the ſacrifices. That the whole nation of the Jewes was one Church, having reference to one Temple, one high Prieſt, one Altar; & it being impoſſible that the whole body of a Nation ſhould in the entire and perſonal parts meet and communicate together in the holy things of God, the Lord ſo diſpoſed and ordered, that that communion ſhould bee had after a manner, and in a ſort, and that was by way of repreſentation: for in the Temple was daily ſacrifice offered for the whole nationall Church. So the names of the twelve Tribes upon the ſhoulders of the Ephod, and upon the Breaſt-plate, and the twelve loaves of Shew bread, were for Iſrael ſignes of re-
Pag. 162. membrance before the Lord. That now the Church conſiſteth not (as then) of a Nation, but of particular Aſſemblies, ordinarily communicating together in all the Churches holy things: whence it commeth, that there are no repreſentative Churches now, the foundation thereof, which is the neceſſary abſence of the Church which is repreſented, being
Pag. 163. 191. taken away in the new Teſtament. That beſides all this, if wee take the repreſentative Church at Jeruſalem for a paterne, then as there not onely hard cauſes were opened, and declared according to the Law, but alſo the ſacrifices daily offered, and the moſt ſo-

lemne

lemne ſervice performed without the preſence of the body of the Church: ſo now in the repreſentative Churches, (ſuch as Preſbyteries and Synods) conſiſting of Officers alone, there muſt be not onely the uſe of juriſdiction, but the Word and Sacraments, whether people bee preſent or not: for how can there be a power in the Church of Officers for the uſe of one ſolemne ordinance out of the communion of the body, and not of another?

Anſw. 1. To ſet aſide the ſacrifices, & other ceremonial worſhip performed at Jeruſalem, the Synagogues among the Jewes had Gods morall worſhip ordinarily therein, as Prayer, and the reading & expounding of the Scriptures. 2. Whatſoever the Synagogues had, or whatſoever they wanted of the worſhip of God, they had an Eccleſiaſticall Conſiſtory, and a certaine order of Church government: elſe how ſhall we underſtand the excommunication, or caſting out of the Synagogue, the Rulers of the Synagogue, and the chiefe Ruler of the Synagogue? (of which things we have before ſpoken.)

I will not here diſpute whether every ſin among the Jewes was either appointed to be puniſhed capitally, or elſe to bee expiated by ſacrifices; but put the caſe it were ſo, this proveth ~~that~~ not their excommunication or Eccleſiaſticall

ſiaſticall cenſure was not then neceſſary: for beſide the detriment of the Common-wealth by the violation of the Law, which was puniſhable by death; and beſide the ἀνομία and guiltineſſe before God, the expiation whereof by the death of Chriſt was prefigured in the ſacrifices, there was a third thing in publike ſinnes, which was puniſhable by ſpirituall cenſures, and that was the ſcandall of the Church, which could not be taken away by the oblations of the delinquent, but rather made worſe thereby, even as now a publike offender doth not take away, but rather increaſe the ſcandall of the Church by his joyning in the acts of Gods worſhip, ſo long as there is no Eccleſiaſticall cenſure impoſed upon him; neither yet (to ſpeake properly) was the ſcandall of publike offences puniſhable by bodily puniſhments, but the Church being a politicall body had her owne Lawes, and her owne cenſures, no leſſe then the Common-wealth. 3. As the Synagogues were particular Churches politically, ſo all of them collectively were one Nationall Church politically, governed by one ſupreame Eccleſiaſticall Sanedrim, which is the repreſentative wee meant of in our Argument. 4. But if we take the Nationall Church of the Jewes metaphyſically, there was no repre-

repreſentative thereof, unleſſe it were all the males who came thrice in the yeare to *Ieruſalem.* The daily offering of Sacrifices was not by a repreſentative Church, but by the Prieſts: and though there were twelve loaves of Shewbread before the Lord, and the names of the twelve Tribes upon the breſtplate, this proveth not a Church repreſentative, but ſignes repreſentative. 5. The body of the Church is now (as then) neceſſarily abſent from the Conſiſtorial actions of debating and deciding matters of Church government, and of Juriſdiction; and ſo that which was called the foundation of a repreſentative Church doth ſtill remaine.

Now before I make an end, I muſt anſwer yet other two objections which have beene lately made. There is one who objecteth that the Aſſembly of the Apoſtles, Acts 15. can bee no preſident nor patterne for ſucceeding ages: Firſt, becauſe the Apoſtles were inſpired with the holy Ghoſt, which wholly guided them in all matters of the Church; ſo as in that their determination, they ſay expreſſely, *It ſeemed good to the holy Ghoſt and to us to lay upon you no greater burthen.* Now, what Synod in any age after the Apoſtles could ever ſay that they were infallibly inſpired and aſſiſted by the holy Ghoſt? Secondly,

Chriſt on his Throne. pag. 57. 58.

Act. 15. 28.

that injunction of the holy Ghoſt and of the Apoſtles was but πρόσκαιρος, for that preſent time, for the avoiding of offences betweene Jewes and Gentiles. But the like we read not afterward in all the writings of the Apoſtles.

Contr. 3. de conc. queſt. 6.

Anſ. 1. I ſay with *Whittaker, Poſſe alia, &c. That other lawfull councells may in like manner affirme their Decrees to be the Decrees of the holy Ghoſt, if they be like unto this councell, and if they keepe the ſame rule which the Apoſtles did keep and follow in this councell, for if they decree and determine nothing but from the Scriptures, which was done in this councell; and if they examine all queſtions according to the Scriptures, and in all their Decrees follow the voyce of the Scripture, then may they affirme that the holy Ghoſt hath ſo decreed.* 2. If the Doctrine or exhortation of a Paſtor well grounded upon the Scriptures bee the Word of God, then much more is the Decree of a Synod well grounded upon the Scriptures, the Decree of the holy Ghoſt. 3. That Aſſembly was not of the Apoſtles alone, but of the Apoſtles and Elders, neither did the Decrees proceed from the Apoſtles alone, but from the Apoſtles and Elders, Acts 16. 4. and 21. 25. and in the place which is now objected, Acts 15. 28. not the Apoſtles a'one, but the Elders with them, ſay, *It ſeemed good*

to

to the holy Ghoſt and to us. What the Elders did then, the Elders may doe now, for time hath not diminiſhed their authority. 4. Nay, what the Apoſtles did in that Synod, the Elders may doe in a Synod now; for the Apoſtles then did nothing but in the ordinary and common way of diſputing and debating, comparing reaſon with reaſon, and ſentence with ſentence, and thereafter framing the Decree according to the light which they had by reaſoning and by ſearching the Scriptures. But (which is moſt obſervable) the ſentence of the Apoſtle *Peter* in that Synod was very imperfect and defective; for he only diſſwadeth from impoſing the yoke of the ceremoniall law upon the Churches of the Gentiles, but maketh no mention of any overture for avoiding the offence betwixt the Jewes and the converted Gentiles at that time, which I may ſuppoſe he would have done, if his light and judgement had carried him that farre: In this the Apoſtle *Iames* ſupplieth the defect of *Peters* ſentence, and propoundeth an overture which pleaſed the whole councell, and according to which the decree was given forth. This made *Luther* to ſay that *Iames* did change the ſentence of *Peter*. And all this it pleaſed God ſo to diſpoſe, that we might underſtand that Synod to bee

Apud Whitak. ubi ſupra.

indeed a preſident and paterne for ordinary Synods in ſucceeding ages. 5. *Henry Iacob* in his third argument for the Divine Inſtitution of the Church, ſaith: It is abſurd and impoſſible, that the Text Matth. 18. was never underſtood for 1500 yeares after Chriſt. Sure this Text, Act. 15. was never underſtood for that whole ſpace, if the Aſſembly there mentioned, be not a preſident to ſucceeding ages. 6. It maketh nothing againſt us, that he ſaith, the decree of the Apoſtles & Elders, was for that preſent time onely; nay, it maketh for us: for in this alſo that Synod was a paterne to ſucceeding ages, foraſmuch as Synods now have no power to make a perpetuall reſtraint from the practice of any indifferent thing, (ſuch as was then the eating of bloud, and things ſtrangled) but onely during the caſe of ſcandall. And moreover, the decree of the Apoſtles and Elders in that Synod, is alſo perpetuall, in ſo farre as it is conceived againſt the preſſing of circumciſion as neceſſary to ſalvation.

A wiſe and moderate diſcourſe concerning Church affaires, pag. 25. 26.

One objection more I finde in another late Peece, which ſtriketh not at the authority alone, but at the very reputation of Synods. This Authour alledgeth, that the ordinary government by Synods, is a thing of great confuſion, by reaſon of the parity and equality,

ty, the voyces being numbred, not weighed. *Equidem* (ſaith a wiſe Father) *ut vere, &c. To ſay the truth, I am utterly determined never to come to any Councell of Biſhops: for I never yet ſaw good end of any Councell: for Councels abate not ill things, but rather increaſe them.* Anſw. 1. If the parity and equality make a great confuſion in the ordinary government by Synods, it ſhall make no leſſe, but rather greater confuſion in an extraordinary Synod: ſo that there is no ground for his reſtriction to that which is ordinary. 2. If the numbring of voyces, and the parity of thoſe that doe voyce, make a confuſion in Synods, why not in Parliaments alſo, and in other civill Courts? 3. That teſtimony doth only ſtrike at the Councels of Biſhops, and ſo maketh not againſt parity, but againſt imparity in Councels: And, to ſay the truth, wee have found in our owne experience, that Prelaticall Synods have not abated, but rather increaſed evils in the Church. 4. The words of *Nazianzen* (for he is the Father here meant of) are not to be underſtood againſt Synods, but againſt the abuſe of Synods at that time. And in this we muſt pardon him (ſaith *Whittaker*) that he ſhunned all Synods in thoſe evill times of the Church, when the Emperour *Valens* was oppoſite to the Catholicke faith,

Ubi ſupra, quæſt. 1.

and when the faction of heretickes did moſt prevaile: in that caſe indeed Synods ſhould have produced greater evils. But we truſt it ſhall be now ſeen that well conſtituted and free Synods of Paſtors and Elders, ſhall not increaſe, but abate evill things.

FINIS.

A

POST-SCRIPT,

In answer to a Treatise very lately published, which is intituled,

The Presbyteriall Governement examined.

WHen the Printer had done all except two sheets of my former Treatise, there came to my hands a peece against Presbyteriall Governement, which promiseth much, but performeth little. Though my time be very short, yet I trust to make an answer to it, as full as it deserveth.

It hath a magisteriall and high sounding title, undertaking the examination of Presbyteriall Governement. But Presbyteriall Government secretly smileth, be-

cauſe while ſhe was ready to ſay much more for her ſelfe, he did not put her to to it, leſt himſelfe ſhould have been put *ad metam non probandi*. But he particularizeth himſelfe, and telleth us he hath unfolded the weakneſſe of our grounds, and diſproved our pretended proofs. The truth is, that the beſt of them & the moſt of them he hath not touched. He addeth that hee hath proved out of the Word of God the liberty of the people in chooſing th ir own officers. This may be added *caute*, but *caſte*, I am ſure it is not. He would make the world beleeve that Presbyterians are againſt the peoples election of their officers, which is a calumny. He ſaith, he hath annexed certaine arguments, proving Presbyteriall Government to be contrary to the pattern which Chriſt hath left in the New Teſtament. Theſe arguments ſhall be anſwered with no great difficulty. In this place I ſhall only ſay a word of them in generall. The man hath a notable faculty of proving that wherein the Presbyterians do agree with him, and paſſing that wherein they diſagree from him. Many humane teſtimonies and citations of writers he muſtreth together, to make a ſimple reader beleeveh that many are of his judgement: But I find none of them all

except

except two or three to affirme any thing which we deny. But why hath he taken all this paines? He will preſent it (forſooth) to the Kings moſt excellent Majeſtie, and to the right honourable Lords, and the honourable houſe of Commons now aſſembled in Parliament. As if it were to be expected that a popular and independant forme of Church government in every Congregation, which ſhould moſt certainly open a doore to a thouſand remedileſſe confuſions, may obtaine his Majeſties royall aſſent, or the acceptation of the High Court of Parliament. Nay, brother, ſeek ſome other friends to your cauſe, for, if wiſe men be not too too much deceived, the King and the Parliament in their great wiſdome do fore-ſee, that whenſoever Epiſcopall government ſhall be removed, another form of Provinciall and nationall Church government muſt needs ſucceed unto it.

Now to come to the ſubſtance of his diſcourſe; firſt hee maketh a quarrell againſt the Presbyteries of particular Churches (which are in *Scotland* called *Seſſions*,) then againſt all higher Conſiſtories in the Church. As for the Presbyteries of particular Churches, he judgeth them three wayes defective. Firſt he requireth Pag. 1.

that all who are admitted into the company of Elders, even the governing or ruling Elders ſhould be *apt to teach*, and *able to exhort with ſound doctrine and convince gaineſayers*, and that not only privately, or in the Conſiſtory, but in the publick aſſembly alſo, if not exactly, yet competently.

1 Tim. 3. 1. Tit. 1. 5. 7. 9.

Anſw. 1. Though ruling Elders ought to teach, exhort, rebuke, &c. both in the Conſiſtory, and privately from houſe to houſe, as the caſe of every family and perſon doth require (which is all that can be drawne from thoſe alleaged places to *Timothy* and *Titus*, if ſo be they ought at all to be extended to ruling Elders) yet there is no place of Scripture to prove that they ought to teach publikly in the Congregation. 2. That expreſſion *if not exactly, yet competently* is ſomewhat myſterious. 3. Ruling Elders are expreſly diſtinguiſhed from thoſe that labour in the word and doctrine. 1 *Tim.* 5. 17. and from theſe that teach or exhort, *Rom.* 12. 7, 8. 4. If ruling Elders ſhall teach publikly in the congregation *ex officio*, and with cure of ſoules (as they ſpeak) why ſhall they not alſo miniſter the Sacraments, which are pendicles and ſeals of the word, and therefore committed to thoſe, who are ſent to the publick preaching of the Goſpell, *Matth.* 28. 19.

19. 5. Though he ſpeak here only of ruling Elders, yet I doubt he requireth of, at leaſt will permit to all men that are members of the Church the ſame publick teaching and propheſying in the Congregation.

The ſecond defect which he wiſheth ſupplied, is, that the temporary ruling Elders may be made perpetuall and for life, which he enforceth by foure reaſons. This I aſſent unto providing he admit a diſtinction betwixt the office it ſelfe, and the exerciſe of the ſame. The office of a ruling Elder ought to be for his life no leſſe then the Paſtors; yet muſt we not condemne thoſe Churches which diſpenſe with the intermiſſion of their actuall attendance for a certaine ſpace, and permit them to exerciſe their office by courſe, as the *Levits* did of old, whoſe example himſelfe here taketh for a patterne. Pag. 2, 3.

The third thing he ſaith is of moſt moment. He doth complaine that the Elders do not adminiſter their publik office publikly as they ſhould, but only in their private Conſiſtory. He doth permit them indeed to meet apart for deliberation (whereof we ſhall here afterward) but he will have their Church-office which in the Lord they have received, to be executed Pag. 4.

publickly in the face of the Congregation. 1. Becauſe an office publick in the nature, ought alſo to be publick in the adminiſtration. 2. Becauſe the reformed Churches cannot know their Elders whether they be good or bad, except by heare-ſay. 3. Becauſe otherwiſe the Elders can not miniſterially take heed to the whole flock as they are warned to do, *Acts* 20.28. *Anſ.* 1. Ruling Elders do execute their office not only in the Conſiſtory, but from houſe to houſe throughout al the bounds of the Cõgregation; wch may eaſily make thẽ known to that Church where they ſerve, whether they be good or bad. 2. Their Conſiſtoriall ſentences in all matters of importance, ſuch as ordination, Church cenſures, excommunication, &c. are made knowne to the whole Church. 3. He paſſeth a ſhort cenſure upon the reformed Churches. *The reformed Churches* is a great word, but this man maketh a moat of it. 4 The place *Acts* 20.28. cannot helpe him, for ruling Elders do feed and overſee the whole flock, both by diſcipline in the Conſiſtory, and by taking heed to all the ſheepe ſeverally, as every one hath need, and in that reſpect may be called both Paſtors and Biſhops. Beſide I doubt he can prove that place to be meant of ruling Elders. He goeth

He goeth on to make plaine what hee hath said, by descending to some particulars in which the Elders office seemeth especially to consist, and these are saith hee, The admitting of members into the Church, upon profession of faith made, and the reproving and censuring of obstinate offenders. These are the most frequent publike administrations of the office of Ruling Elders. And what of them? hee saith, as they leave the execution of these things, to the Elders alone in the setled and well ordered state of the Church, so doe they deny, that they can be rightly and orderly done, but with the peoples privity and consent. His restriction to the setled and well ordered estate of the Church, I cannot understand. Hee had done well to have explained what hee meaneth by that not setled, nor well ordered state of the Church, in which he thinks it belongeth not to the Elders alone, to admit or cut off members. His other ambiguous expression I understand better, for by the peoples privity hee meaneth, that the people should heare the voyces and suffrages of the Elders, and by the peoples consent, hee meaneth the peoples voting with the Elders, as wee shall heare afterward. That the admission of members, Pag. 5. Pag. 6.

ought

Page 6. ought to bee with the peoples privity and consent, hee will prove by two reasons. 1. Because wee finde in the acts of the Apostles, that men were received into the fellowship of the Church, and baptized publikely, and in the face of the congregation. 2. Because the whole communalty, being neerely to joyne with these that are admitted, ought to take knowledge of the profession of their faith. These reasons can neither conclude the peoples right of suffrage in this matter, nor so much as the peoples hearing of the suffrages of the Elders : But only that the matter might not bee ended without the peoples knowledge and tacite consent. Beside there is no small difference to bee put betwixt the admission of Jewes, Infidells, and Hereticks, upon their profession of the true Christian faith, and the admission of such as have transported themselves from another Christian congregation, bringing with them a sufficient testimonie of their holy profession of faith, and good conversation. In the meane while, Let the Reader note, that this disputer hath here in a parenthesis interlaced grosse anabaptistry, holding it a kinde of unorderly anticipation to baptise infants, who cannot give a confession of their faith.

faith. And within a few lines, he lets another thing fall from his pen, which ſmelleth ſtrongly of the Anabaptiſticall tenent, concerning having all things common, even bodily goods.

But I proceed with him to the ſecond head, concerning excommunication, and Church cenſures by the Elders, with the peoples privity and conſent. This he proveth by three arguments. 1. Becauſe *Paul* ſaith, *Theſe who ſin, rebuke publikely, that others alſo may feare* a brave argument indeed. This charge is not given to ruling Elders; and if it had, it can neither prove the ſuffrage of the people, nor their hearing of the ſuffrage of the Elders, but onely the execution of the ſentence of the Elders, in the preſence and audience of the congregation. 2. Hee argueth from theſe words, *Tell the Church*, where hee would make it appeare, that by the Church is not meant the Senate of Elders excluding the people; yea hee ſaith, that in this circumſtance now in conſideration, it comes neerer the truth to expound the Church to be the Biſhop, ſince neither Biſhops nor their Court-keepers, doe exclude the people from their conſiſtories. Sure I am, in *Scotland*, (let others ſpeake for themſelves) The Biſhops in their viſitations, high Com-

Pag. 7.

1 Tim. 5. 20.

Mat. 18. 17.

Pag. 8.

 miſſions

missions, Privie-conferences at Synods (in which they passed their decrees) did exclude both the people, and the most part of the ministers. He thinkes it a course unheard of either among Jewes, Gentiles, or Christians, before this last age, that publike judgements should be privatly exercised, and without the peoples privity. This (if at all to the point) must be understood, not of the finall execution, but of the judiciall sentence or decree. What then shall wee thinke that the Senators at *Rome* or the Areopagites at *Athens*, did never conclude or degree any thing, concerning a publike judgement, except in the audience and presence of the people. The Judges in Israel did sit in the gates of of the City, that all persons both poore and rich, great and small might have accesse unto them with their complaints, and that the sentence of judgement, might bee the more notorious & exemplary, being given forth and promulgat in the gates: This proveth not that the Judges did debate, voyce, and conclude all matters in the
Pag. 9. publike audience of the people. It appeareth rather that they were so accomodate, that they might doe these things apart from the multitude. It is too much for him, to affirme either that the Synagogues were

were places of civill conventions and judgements, or that nothing was in the Synagogues decreed without the peoples privity, while as hee hath given no proofe nor evidence at all for it. Pag. 9.

You need not, my Master, be so curious in the notation of the name ἐκκλησία, which every smatterer in Divinity knoweth. But what of it? you say, the Elders (as such) are called, to wit, to their office of Eldership, but called out they are not, being themselves to call out the Church. It is true that the word ἐκκλησία noteth not only a calling, or a gathering together, by vertue of verb καλέω, but also a separation by vertue of the particle ἐκ. But I hope it is no paradox to say, that the Elders are both called or gathered together unto the Eldership, and called out or separate from the rest of the Church to that office. And it is as far from a Paradox to say that they who are called out cannot call out others, especially the one calling out being to an office, and the other calling out being from nature to grace.

He cannot think that the name, *Ecclesia*, Church, hath been used by any Greek Author before the Apostles times, or in their dayes, or in the age after them, for the assembly of sole Governours in the act of their government. I shall first give Instan-

ces against him in the verb, because, hee said, the Elders (as such) cannot be said to be called out. The Septuagint reade, *Deu.* 31. 28. ἐκκλησιάσατε, *Gather unto me all the Elders.* The like you may find, 1 *King.* 8. 1. 1 *Chron.* 28. 1. I shall next put him in mind that the Septuagint sometime turne *Kahal* by συνάγειν, as *Prov.* 26. 26. *His wickednesse shall be shewed before the whole Congregation,* ἐν συναγωγῇ. And it is plaine that the name of the Congregation, or Church, is given to the Elders, for that which is said of the Elders, *Deut.* 19. 12. *Ios.* 20. 4. is said of the Congregation, *Num.* 35. 24. *Ios.* 20. 6. So *Exod* 12. 3. compared with verse 21. ~~This if hee will not take well from us, with verse 21.~~ This if hee will not take well from us, let him take it from an Anti-presbyterian, who obserueth from 1 *Chron.* 13. 1, 2, 4. and 2. *Chron.* 1. 3. that both *Kahal* and ἐκκλησία are used for the Elders and Governours. *Guide unto Sion, pag.* 5. The place *Deut.* 23. 1, 2, 3. is well worthy of obseruation. It is ordained that he who is wounded in the stones, or hath his privy member cut off, or is a Bastard, or an Ammonite, or a Moabite, shall not enter into the Congregation the of Lord to the tenth generation. The word is *Kahal* in the Hebrew, and ἐκκλησία in the version of the 70. yet *Iunius, Piscator,* and *Pelicanus* on that place, and

and *Martyr* on *Iud.* 11. 1. hold that by the Church or Congregation in that place is meant *Conſeſſus Iudicum*, the Court of Judges and Rulers, which is called *The Congregation of the mighty*, *Pſal.* 80. 2. So that the true ſenſe of the place, is the ſecluding of thoſe perſons from bearing any office or rule in the Common-wealth of Iſrael, whereby they might be members of thoſe Courts which did repreſent Iſrael. The ſame ſenſe is given by *Lyranus*, *Cajetan*, *Oleaſter*, *Toſtatus*, and *Lorinus*. And which is more to be thought of, *Ainſworth* himſelfe expoundeth it ſo, and further ſheweth that it cannot be meant of joyning to the faith and religion of Iſrael, or entering into the Church in that reſpect, becauſe *Exod.* 12. 48, 49. *Num.* 15. 14, 15. All ſtrangers were upon their circumciſion admitted into the Congregation of Iſrael, to offer ſacrifices, and by conſequence to enter into the court of the Tabernacle, which alſo appeareth from *Levit.* 22. 18. *Num* 9. 14. The point being now cleared from the holy Scriptures, we ſhal the leſſe need to trouble our ſelves in the ſearch of prophane Authors; yet *Paſor* findeth *Demoſthenes* uſing the word ἐκκλησία *pro concione magnatum*.

As for that common expreſſion of Divines, that the Elders are the Church repreſen- Pag. 10. *Polan. Synt. lib. 7. cap. 11. pag. 539.*

preſentative, wee deſire not to wrangle about names, ſo that the thing it ſelfe (which is the power and authority of the Officers ſitting and judging apart from the people) be condeſcended upon. Yet let us ſee upon what grounds the name of a repreſentative Church is by this man ſo ſuperciliouſly rejected. Firſt, hee ſaith that no godly, no nor reaſonable man will affirme, that this repreſentation is to be extended to any other acts of religion, than theſe which are exerciſed in the governing of the Church. But *quo warranto?* ſhall a man be both ungodly and unreaſonable, for affirming that the Elders may and ought to repreſent the Church where they ſerve, in preferring a petition to the King and the Parliament, for a Reformation, or in bearing witneſſe of the deſolate condition of the Pariſh through the want of a miniſtery, or in giving counſel to a Siſter Church, though theſe bee not acts of governing the Church. Well: be it, as he ſaith, what great abſurdity ſhall fellow? then (forſooth) it appertains to the people primarily and originally (under Chriſt) to rule and govern the Church, that is, themſelves. But who ſaith he will ſo ſay of a government not perſonall, but publique, and inſtituted as the Churches is. Surely,

they

they who think the power to be originally in the people, might here easily reply that this is no more strange than to say, that the power which is primarily and originally in the body of a Kingdome, is exercised by the Parliament, which is the representative therof. But because many learned men deny the power of Church government to be originally in the people, though others, (and those very learned too) doe affirme it: therefore to passe that, I shall serve him with another answer. For as we can defend the authority of Presbyteries and Synods without wrangling about the name of a representative Church, so can we defend the name of a representative Church, without debating the question, whether the people have the power originally or not. May he therefore bee pleased to take notice of other grounds and reasons for the name of a representative Church, as namely, First, what the Elders, with the knowledge and tacite consent of the Church, doe approve or dislike, that is supposed to be approved or disliked by the whole Church, which importeth, that the Church is in some sort represented by the Senate of Elders. Secondly, as wee say wee have seene a man, when haply wee have seene nothing but his head, or his face which maketh him

knowne

knowne unto us, (whence it is that Painters repreſent men unto us oft-times onely from their ſhoulders upward) ſo doe wee diſcern & know a viſible politicall Church, when we ſee in the Senate, as it were, the head and face thereof, the officers being as eyes, eares, noſe, mouth, &c. to the Church, that is, being the moſt noble and chiefe members whereby the body is governed. Thirdly, the Senat of Elders is ſaid to repreſent the Church, becauſe of the affinity and likeneſſe betwixt it and the Senate, which repreſenteth a City, or ſome inferior civil Corporation, affinity I mean, not every way, but in this, that the government is not in the hands of all, but a few, and that thoſe few were choſen with the conſent of the whole Corporation. Fourthly, and if for theſe reaſons the Elderſhip of a particular Church may be called a repreſentative Church, there is much more reaſon for giving this name to a claſſicall Preſbytery, or to a Synod provinciall, or nationall, for theſe doe reſult out of many particular Churches being made up of their Commiſſioners.

His ſecond reaſon he taketh from the nature of repreſentations, alleaging that if the Elders in their Conſiſtory repreſent the Church, then whatſoever they either decree

decree or do agreeing to the Word of God, that alſo the Church decreeth and doth, though abſent, though ignorant, both what the thing is, and upon what grounds it is done by the Elders: and this how conſonant it is to Papiſts implicit faith, he leaveth it to wiſe men to conſider. This argument is as much againſt the repreſentations of Kings and States by their Ambaſſadours and Commiſſioners, as it is againſt the repreſentation of Churches by the Conſiſtory of *E*lders, and ſo all the wiſdome of Princes and States in their *E*mbaſſages ſhall turne to implicit faith, becauſe according to this ground, what the repreſenting doth within the bounds of his Commiſſion, that the repreſented doth *implicitè*. And now I ſhall leave to be conſidered by wiſe men theſe vaſt differences betwixt the Papiſts implicit faith, and the caſe of our Churches governed by *E*lderſhips. 1. The Church aſſenteth not to that which the Conſiſtory of *E*lders decreeth or doth, except it be agreeing to the Word of God, as the Reaſoner himſelfe ſaith: but there is no ſuch limitation in the Papiſts implicit faith. 2. The Conſiſtory of *E*lders doth not preſſe any thing upon the Church, imperiouſly, or by naked wil and authority without any reaſon,

as the Church of *Rome* doth with thoſe from whom ſhe requireth implicit faith. 3. The Papiſts know not what thoſe things be which they beleeve by implicit faith: ſo that ſuch a faith is rightly called *mera articulorum fidei ignorantia*, a meere ignorance of the articles of faith: but the decrees of our Elderſhips whereunto our Churches do conſent, are made knowne unto them. 4. Our Churches are by the judgement of Chriſtian diſcretion to examine all things propounded unto them, even the decrees of the Elders, whereas Papiſts may not examine what the Church propoundeth or commandeth. 5. Papiſts by their implicit faith beleeve whatſoever the Church beleeveth, becauſe they think the Church can not erre, but our Churches conceive not only their particular Elderſhips, but œcumenicall councels to be ſubject to error.

Gerh. loc. theol. tom. 3. de Iuſtif. p. 314.

Pag. 11. Come we now to his third generall reaſon: whereby he laboureth to prove that the conſiſtorian courſe is contrary to the practiſe of the Apoſtolick Churches, becauſe the Apoſtle, 1 *Cor.* 5. writeth to the whole Church of *Corinth* to excommunicate the inceſtuous man. And that by theſe words (*when you are come together*) the whole Church is to be underſtood, he proveth

Pag. 12.

veth by three reaſons: The ſtrength of them all, we ſhall take together in one argument thus. *They among whom the fornicatour was*, who *were puffed up when they ſhould have ſorrowed*, and *out of the midſt of whom he was to be put, who had done that thing*, to whom it appertained to *purge out the old leven*, and to whom the Apoſtle wrote *not to be commingled with fornicators* or *covetous perſons*, they were to be *gathered together into one*, and to *judge* and excommunicate that inceſtuous perſon.

But they among whom the fornicator was, &c. were not the Elders alone, but the whole Church, *Ergo*, &c.

And now what ſhall this diſputer ſay, if I cleave this his ſtrong argument with a wedge of his own timber, thus, &c.

If they among whom the fornicator was, who were puffed up, when they ſhould have ſorrowed, and out of the midſt of whom, &c. were to judge and excommunicate that inceſtuous perſon, then women were to judge and excommunicate him, and not men only. But the latter is abſurd, therefore ſo is the former. My propoſition he muſt either grant, or elſe ſay that the inceſtuous man was not to be put out of the midſt of women, and that the Apoſtle did not forbid women to be commingled with fornicators. My aſſump-

tion is his own, Pag. 24. where he tels us from 1 *Cor.* 14. 34, 35. 1 *Tim.* 2. 12. that women are debarred from liberty or right of voting in publick ecclesiasticall matters. Then let him see to the conclusion.

Pag. 13. Another proofe of the same point he addeth from 2 *Cor.* 2. where he writeth to these same *Corinthians* to receive pardon, and comfort the penitent: which I might repell in the same manner. But there is a word in that same Chapter which may cleare the thing, Vers. 6. *Sufficient to such a man is this punishment* (or censure) *which was inflicted of many.* Which *many* if (as he saith in the next page) the Apostle had opposed to himselfe alone, and not to all, then he said but the halfe of that which he meant to say. He would have the *Corinthians* to think it enough that the man had beene publickly censured by so many as were in their Presbyterie. Now if he had beene censured by the whole Church, it had been more fit and emphaticall to have said *censured by all.* But there is another sence which well fitteth the place. *Heinsius* observeth that πλείονες is one thing, ὁι πλείονες another thing: the former noting those that exceed in number: the latter those that are chiefe in dignity, and that therefore the Apostle when he saith ὑπὸ τῶν πλείονων, meaneth the rulers and Elders of that Church,

Exerc. sacr. in illum locum.

Church, ſo that the reading ſhall be this: *Sufficient to ſuch a man, is this cenſure inflicted of the chiefe.* In the ſame ſence *Piſcator* taketh the words: which alſo he doth illuſtrate from *Mat.* 12. 41. 42. πλεῖον ὧδε *a greater then Ionah*, πλεῖον Σολομῶντος, *a greater then Solomon.*

To conclude this caſe, the Apoſtle as in other Epiſtles, ſo in this, doth ſometime point at common duties belonging to the whole Church, ſometime at the duties of officers. That the whole Church of *Corinth* ſhould have ſorrowed for the inceſtuous man, and that it was a common duty to them, not to be commingled with fornicators, and to *have no fellowſhip with the unfruitfull workes of darkneſſe, but rather to reprove them*: In like manner it concerned them all to comfort him being penitent. But as for the judging, and excommunicating of him, that did belong only to the Presbytery of *Corinth*, and ſo *Calvin*, *Piſcator*, *Pareus*, and many others expound the Apoſtles words. Ephes. 5. 11.

His digreſſion to prove that the Apoſtle alone, did not give forth ſentence judiciary upon the offender, is not againſt us, but againſt the prelaticall party, therefore I paſſe it. Pag. 13. 14.

What he alleageth from *Act.* 1. & 6. & 14. For the Churches right of ſuffrage in the election of Officers, we doe moſt heartily Pag. 15. 16. 17. 19

tily assent unto it, with this distinction, that when the case is such, as it was in the examples alleaged, that is, when visible politicall Churches are to be erected, not having beene before, then the right of suffrage in elections, doth indeed belong to the whole body : And though this way of election were ordinary, it cannot prove that the people have the power of that authority in them, to which they elect the officers : no more then the Electors of the Emperour have in them power of the imperiall dignity, saith *Baynes*. But now it is not ordinary, for when there is already a setled Ecclesiasticall republike, or a Church with officers, the officers for the time being ought by their suffrages to elect the officers that are wanting, with the knowledge and consent of the Church.

Pag. 17. 18. Somewhat he demurreth upon *Act.* 15. for the vindication of which place, I refer my reader to the second part of the former Treatise, *Chap.* 1. & 8. Neither shall I stay to examine, by what Method either this discourse or the other about elections, falleth into the proofe of his proposition, concerning that part of the Elders office, which standeth in the censuring of offenders.

Pag. 21. He falleth at last into his owne channell, concluding it to bee a thing most equall, that the whole Church, should clearely and

and undoubtedly take knowledge of the contumacy of the perſon, that is to bee excommunicated, & of the crime for which, and this we alſo ſay with him.

One word I deſire to have cleared before wee proceed. One of his grounds in his diſcourſe about elections, is that the Church officers, as they are the ſervants of Chriſt Jeſus, ſo alſo her ſervants for Jeſus ſake, 2. *Cor.* 4. 5. The profeſſors of *Leyden* ſay well, that they are not properly the ſervants of the Church, but of God, and of Chriſt: They are not Lords of the Church neither, but Rulers, Guides, Biſhops, and Paſtors of the Church: yet not ſervants of the Church except, *objective*, that is, the ſervants of God in the Church, or for the Churches good. If this bee his meaning, it is well. But I doubt he hath another meaning, and that is, that the Church doth give the power (which is hers) unto her officers, as her ſervants to exerciſe it in her name. If this bee the matter, then let us marke with *Baynes*, that the Church doth not virtually and out of power make an officer, but ſhee doth it in Stewardlike manner, miniſtring to the ſole Lord and maſter of the houſe, ſo that hee who is taken in doth not his office in her name, but in his maſters name: as a Butler taken in by the Steward of the houſe, doth not execute his office in the ſtewards name, but in

Pag 20.

Synopſ. diſt. 49. Th. 1.

Dioceſſ. tryall pag. 88.

in his masters, who only out of power did conferre it on him.

Pag. 22. But now lest any should conceive of him and those of his side, that they either exercise amongst themselves, or would thrust upon others any popular or democraticall Church governement: therefore he desireth the Reader to make estimate, both of their judgement and practice in this point, according to these three declarations.

First he saith they beleeve, that the externall Church governement under Christ, is plainely aristocraticall and to be administred by some choyce men, although the state bee after a sort popular and democraticall. In respect of the latter, he saith it appertaines to the people freely, to vote in elections & judgements of the Church; in respect of the former, that the Elders ought to governe the people, even in their voting in just liberty, by propounding and ordering all things, and (after the voting of the Church) solemnly executing, either ordination or excommunication. Behold how he runneth upon the rocke of popular governement, even whiles he pretendeth to have his course another way: God send us better pilots. I remember I have read in sundry places of *Bodin de repub.* that the state is oft times different from the governement. But sure I am, this anti-consi-

Pag. 23.

storian

ſiſtorian maketh not only the ſtate, but the governement of the Church to be democraticall, & that in the ſuperlative degree, for the governement is democraticall, at leaſt compoſed of a mixture of ariſtocracy, and democracy (which is the moſt that he dare ſay of the Church governement) where the people have the liberty of electing their owne officers and rulers, and where the Senat ſo farre obſerveth the people, that they may not paſſe the finall act, in any matter of importance, without the knowledge and tacite conſent of the people, though the people doe not vote in the Senat, nay though the Senat doe not vote in the hearing of the people. Now this ſeemeth not enough to thoſe with whom wee have now to doe. They will have the people *freely to vote* in all *judgements of the Church*. And what is that, but the very exerciſe of jurisdiction by the people, which is the democracy of *Marſilius* condemned by *Parker* himſelfe, who maketh the exerciſe of eccleſiaſticall power proper to the Rulers of the Church, though he placeth the power it ſelfe originally in the whole Church. Let it further be obſerved, what difference theſe men make betwixt the Elders and the people in the governement of the Church: That which they make proper to the Elders is only the propounding and ordering of matters, and the excuting of ſome ſo-

de pol. eccle. lib. 3. cap. 7.

lemne act in name of the Church. This is no more then belongeth to the moderator or *Præses* in any consistory, But they will have the matter to bee determined according to the most voyces of the people. And so the new forme of Church governement which is here laid before us, is a mere democracy with many moderators, which is the most monstrous governement that ever was heard of.

His second declaration is, that the Elders may and ought at times to meet apart from the body of the Church, for deliberation. This if hee meane only of that which hee specifieth, the preparing of things so as publikely, and before the people, they may bee prosecuted with most conveniency . It is no more then what many require in moderators of Synods, to whom they think fit, that some Assessors, or Coadjutors be adjoyned for deliberating in private, upon the most orderly and convenient prosecuting of purposes in publike : which as it hindereth not the governement of Synods to be aristocraticall ; so neither doth the deliberation of the Elders in private, hinder the governement now in question to be democraticall. But if he meane generally, that the Elders may deliberate apart upon every thing whatsoever, which is to be voyced by the people, then I aske by what reason doth

hee

he ſeclude from the deliberations thoſe who are to voice? for to give being and force to an Eccleſiaſticall decree by voycing, is more than to deliberate upon it, whence it is that Papiſts give to Preſbyters a deliberative voice in Councels, but not a deciſive voice, and we alſo permit any underſtanding godly man to propound a matter to a Synod, or to reaſon upon it, though none have power of ſuffrage but the Commiſſioners of Churches; So that he had greater reaſon to ſeclude the people from the voyces, than from the deliberations.

His third declaration comes laſt, and Pag. 24.
that is that by the people whoſe right in voting they thus ſtand for, they underſtand not women and children, but only men, and them growen, and of diſcretion. Before hee did object to us that neither in Scripture nor in Greeke Authors, the name *Church* is uſed for the aſſembly of ſole Governours: and to this I ſuppoſe I did give a ſatisfactory anſwer. But good Sir be pleaſed mutually to reſolve us where you have read in Scripture, or in Greek Authors the name Church (ſetting aſide all repreſentatives of Churches and Aſſemblies of ſole Governors) uſed for men alone, and them growen and of diſcretion, ſecluding women and children: for now I ſee your reſerved Gloſſe upon thoſe words *Tell the*

Church: Tell all the men in the Pariſh that are growne and of diſcretion you muſt not take ſo much upon you, as to expound that Text by a Synecdoche, which none that ever wrote upon it before your ſelves did imagine, and yet challenge us for expounding it by another Synecdoche, following *Chryſoſtome*, *Euthymius*, *Faber Stapulenſis*, and many late Interpreters, who underſtand by Church in that place, the Rulers of the Church, which are the nobleſt part of the Church. I ſhall ſhut up this point with the words of *Hyperius*, who ſaith that we muſt not underſtand by the Church the whole multitude, *Sed potius delectos* &c. *But rather certaine choice Elders, noted for their learning and godlineſſe, in whoſe power the Church will have to bee the judgement in ſuch like cauſes, which is proved from that, that* Matth. 18. *after it was ſaid, Tell the Church, it is added; where two or three are gathered together in my name, there am I in the midſt of them.* And 2 Cor. 2. he ſaith, *Sufficient is this cenſure inflicted by many.*

Comment. in 1 Cor. 5. 4.

Pag. 24, 25.

We have now done with the Elderſhips of particular Churches, but there is another blow which I perceive is intended againſt claſſicall Preſbyteries and Synods provincial and national, for the due power by which my oppoſite would have the Church to begoverned, hee layeth before us in this Aſſertion, that *every particular viſible*

ſible Church hath from Chriſt abſolute and intire power to exerciſe in and of her ſelfe, every ordinance of God, and ſo is an independent body, not ſtanding under any other Eccleſiaſticall authority out of it ſelfe. And this he will prove by ten Arguments: but I ſhall not need to multiply anſwers, as hee doth arguments, becauſe many of them are coincident. The firſt, third, fourth, and ſixth, doe all hit upon the ſame ſtring. The firſt is thus: If thoſe Churches, planted by the Apoſtolique inſtitution, had power fully in themſelves immediatly from Chriſt to practiſe all his ordinances: Then have all Churches the like power now. But the firſt is true. *Ergo.* The third thus; Whatſoever was commanded ~~by~~ to the ſeven Churches to be practiſed by each of them, apart, in and for themſelves, that no Church of God muſt now omit. But Eccleſiaſticall government was commanded to the ſeven Churches to bee practiſed by each of them. &c. The fourth thus; If the Church of *Corinth* had power and authority within her ſelfe to exerciſe Eccleſiaſticall Government; then ought not particular Congregations now to ſtand under any other Eccleſiaſtical authority out of themſelves. But the firſt is true, *Ergo.* The ſixth thus. If the Apoſtle gave commandement unto the Elderſhip of *Epheſus* for the whole adminiſtration of all ordinances in that Church: then may

Pag. 26.

Pag. 28.

Pag. 28, 29.

Pag. 30.

the Eldership of every particular congregation, administer among themselves all Gods ordinances. But the first is true, *Ergo*.

Now for answer to these: First, I simply deny the connexion of the proposition of the fourth argument, because it argueth *à genere ad speciem affirmative*, from the exercising of Ecclesiastical Government, to the exercising of it independently. Neither hath hee said any thing for proofe hereof. Next, the Reader will easily perceive, that both in the first and sixth Argument his citations in proofe both of the propositions and assumptions, have not so much as the least colour of pertinency, and farre lesse of proofe. In both these arguments, when he would prove the proposition, he speaketh to the assumptio, & contrariwise. But these things I delight not to insist upon: only I shall give two Distinctions, any one of which, much more both of them shall make these arguments wholly improfitable unto him. First, I distinguish his propositions. That power & authority which the Church of *Corinth*, the seven Churches of *Asia*, and other Apostolicall Churches had to exercise Ecclesiastical government in and for themselves, the like have all Churches now which are of the like frame and condition: but the most part of particular Churches now are of a different frame and condition from the Apostolique

Churches,

Churches, and ſo have not ſuch fulneſſe of power as they had. Put the caſe that the Apoſtolick Churches were no greater then might and did ordinarily aſſemble together into one place for the worſhip of God, yet ſince by reaſon of the troublee of thoſe times (which ſuffered not the Chriſtians to ſpread themſelves abroad all the countrey over, but confined them within Cities and ſafe places) thoſe Churches were not planted ſo thick and neare together, as that they might have the conveniency of Synodical conſociation: hence it appeareth that they might do many things in and by themſelves, which particular Congregations now having the conveniency of conſociation with neighbour Churches, ought not to do in and by themſelves. But this I have ſaid *gratis*, having in my former Treatiſe at length declared that the Apoſtolick Churches (at leaſt the moſt and principall of them) were greater then could aſſemble ordinarily in one place of worſhip, and that they were ſerved with ſundry both Paſtors and Elders, & that therefore our Parochiall Churches ought not to be (in reſpect of the points in queſtion) compared with their Churches, nor our Parochiall Presbyteries with their Presbyteries.

The ſecond diſtinction which I have to propound is concerning the aſſumptions of the arguments now in hand. The Apoſtolick Churches did indeed ordinarily exerciſe Eccleſiaſticall government and all the ordinances of Chriſt, in and for themſelves, yet ſo that when the occaſion of a Synode did occurre for determining a queſtion which

which was too hard for particular Churches, and was alſo common to many Churches, in that caſe they did ſubmit themſelves to the authority of the Synod. Which hath alſo before beene made plaine from *Act.* 15. To practiſe all the ordinances of God in a Church is one thing, and to practiſe them independantly ſo as never to be ſubject to the authority of a Synod, is another thing. My antagoniſt doth after take it for granted & ſaith,

Pag. 32. that *all learned men have granted*, that the Churches of the Apoſtolick conſtitution were independant bodies. But whence are you Sir that would make your Reader beleeve there are no learned men in the Churches of *Scotland*, *France*, the low-countries, and the other reformed Churches which have the government of Presbyteries and Synods, conceiving it to be moſt agreeable to the Apoſtolicall patterne? Have you put out of the category of learned men all Proteſtant writers who in the controverſies about Councels diſpute againſt Papiſts from *Acts* 15.2. Why did you not among all your impertinent allegations, cite ſome few of thoſe learned men who grant the Apoſtolick Churches to have been independant bodies? But we muſt heare what more you have to ſay.

Pag. 29. Your firſt eight and tenthe arguments are in like manner coincident. The firſt you frame thus. Such actions the Church may lawfully do wherein no law of God is broken. But there is no law of God broken, when particular Churches do in and among themſelves exerciſe all Gods ordinances. *Ergo.* The eight thus. Whatſoever governe-

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ment cannot be found commanded in the written Word of God, ought not to have any place in the Church of God. But the Government of Presbyteries and Synods over many particular congregations cannot be found commanded, &c. The tenth thus. It is a ſinne againſt God to adde any thing to that forme and manner of ordering Churches which Chriſt hath ſet forth in the new Teſtament. But to ſubject particular congregations under any other Eccleſiaſticall authority out of themſelves, is to adde, &c. Pag. 34.

Now the word *independantly* muſt be added to the aſſumption of the firſt argument, elſe it cannot conclude what he affirmes and we deny: for there is no queſtion but particular Churches may exerciſe in and among themſelves all Gods ordinances in thoſe caſes and with thoſe diſtinctions which I have ſpoken of before, *part* 2. *chap.* 2. This being cleared I deny the aſſumption in all theſe three arguments. I expected proofe for it, but he hath given none, except that it cannot for ſhame be denied. I had thought it rather a ſhamefull thing for a writer to trouble his Reader with arguments which he cannot make good. But what ſaith he to the profeſſors of *Leyden* who hold the inſtitution of Synods not to be humane, but divine, wch they prove from *Mat.* 18. & *Act.* 15. Nay what is more ordinary in Proteſtant writers then the applying of thoſe words, *Where two or three are gathered together in my name, there am I in the midſt of them*, unto Synods and Councels; and hence they condemne the popiſh Councels, in ſo much that *Bellarmin*, *Salmeron*, and other Jeſuits have in this contradicted all our writers, telling us (as Synopſ. dyp. 49: Th. 10. ex. dyp. 42. Theſ. 62.

theſe men doe) that our Saviour meaneth not of Councels in theſe words. Moreover that commandement whereby we ſtand obliged to follow the example both of the Jewiſh Church in the Old Teſtament, and of the Apoſtolicall Churches in the New Teſtament, in ſuch things as they had not for any ſpeciall reaſon which doth not concerne us, is tranſgreſſed by the withdrawing of Congregations from ſubjection unto Synods. Of which things I have ſaid enough before. It is now but a poore begging of that which is in queſtion, to object that the governement of Presbyteries and Synods hath no warrant from the Word of God.

Pag. 27. Come we then to examine his other Arguments. His ſecond he compoſeth thus. If Chriſt in *Mat.* 18.17. where he ſaith, *Tell the Church*, doth mean a particular Congregation: then hath every particular Congregation an intire power in and of it ſelfe to exerciſe Eccleſiaſticall governement, and all other Gods ſpirituall ordinances. But the firſt is true. *Ergo*, for the propoſition he citeth ſome Writers who do not ſpeak of ſuch a connexion as he had to prove. The aſſumption he proveth thus. That Church which Chriſt intendeth in *Matth.* 18. hath abſolute power in and of it ſelfe to perform all Gods ordinances. But Chriſt intendeth in *Mat.* 18. a particular Congregation. Therefore every particular Congregation hath abſolute power, &c. How bravely doth he conclude the point? *Spectatum admiſſi riſum teneatis amici.* We will not examine our examinators logick: we know what he would ſay: and we would have him to know againe that Chriſt in *Mat.* 18. meaneth indeed ſome

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ſort of a particular Congregation, but neither only, nor independantly. Nay he meaneth all the Conſiſtories of the Church higher and lower reſpectively, as *Parker* conceiveth, whoſe words I have before ſet down: and to this ſenſe the threed of the text doth leade us, for as in the preceding words there is a gradation from one to two or three more, then to the Church, ſo is there a gradation (by the like order and reaſon) in the Conſiſtories of the Church. *Toſtatus* upon this place acknowledgeth that *Die Eccleſiæ* reacheth as far as to an œcumenicall Councell, when particular Churches erre in their determinations, or when the cauſe is common to all the Churches, for example, when the Pope is to be condemned.

His ſeventh argument followes in my order, and it runneth after this manner. Such offices and callings without which the Church of God is cõpleat and perfect for government, are ſuperfluous and humane. But the Church of God may be compleat & perfect for government, without Presbyteriall and Synodicall offices and callings. *Ergo*, I anſwer by a diſtinction. Such offices and callings without which the Church of God are according to the courſe of Gods ordinary providence, or at all times and in all caſes, perfect and compleat for government, are indeed ſuperfluous and humane. But that ſuch offices and callings without which the Church by the abſolute power of God or at ſome times & in ſome caſes is perfect & compleat, are ſuperfluous & humane, we utterly deny. Now for the point of Synods I ſhall produce no other witneſſes then thoſe which this Diſputer here taketh to be for him. *Whittaker* acknowledgeth of Councels

Pag. 31.

De Conc. q 1. p 29.

De Pol. Eccle. lib.3.pag.131. Councels that *Secundum ordinariam providentiam neceſſaria ſunt ad bonam eccleſiæ gubernationem: according to ordinary providence they are neceſſary for the well governing of the Church.* *Parker* acknowledgeth Synods to be ſometime neceſſary in the Church, and he giveth example of the Councell of *Nice*, without which the evils of the Church in the daies of *Conſtantine* could not have bin remedied.

Pag.33. The nioth Argument remaineth, which is this. That government which meerly tendeth unto the taking away from particular Congregations, their due power is unlawfull. But the government of Presbyteries and Synods (as they now are) doth meerly tend unto the taking away from particular Congregations their due power. *Ergo.* I did expect ſome ſtrong proofe for the aſſumption of this argument, but we muſt take it as it is. He tels us out of *Maſter Barlow*, that no man under the degree of a Prophet or an Apoſtle may preſcribe Gods Church and children patternes. Our Synods are further from preſcribing patterns either of worſhip or Church government than himſelfe is. The patterne and whole manner of Church government is ſet down in the Scripture, thoſe circumſtãces excepted which are common to the Church with the Common-wealth, and are therefore determinable by natures light. Synods may not preſcribe new patterns, no more may particular Churches: but Synods may in common cauſes, and extraordinarily preſcribe unto particular churches, ſuch things as particular churches may in particular cauſes and ordinarily preſcribe to their owne members. If he will beleeve *Parker* (whom he thinks his owne) the authority which particular

particular Churches have ſeverally is not loſt, but augmented when they are joyned together in Synods. But we have before abundantly declared how Preſbyteriall & Synodical government doth not at all prejudge the rights of congregations. As for that which here he addeth by way of ſuppoſition, putting the caſe that Preſbyteries & Synods will not permit a congregation to reject ſome cõvicted hereticks, nor to chuſe any, except unfit Miniſters, this is juſt as if one ſhould object againſt Parliaments, that (as they are now) they do meerly tend to the taking away of the right and liberty of the ſubject, and then for proofe ſhould put the caſe, that Parliaments will protect and maintaine Monopoliſts, Projectorers, &c.

de pol eccl. lib. 3. c 13. p. 124.

Supra, cap. ult.

Now in this drove of arguments, the drover hath ſet ſome like the weake of the flock to follow up behind. The firſt two are blind, and ſee not where they are going: for it maketh nothing againſt us, either that the Elderſhip of one congregation, hath not authority over the Elderſhip of another congregation, or that a miniſter ſhould not undertake the care of more Churches then one.

Pag. 35.

His third, that preſbyteriall power is never mentioned in the Scripture, is a begging of the thing in queſtion, & is anſwered before; yet I muſt put him again in mind of *Parker*, who ſpeaking of churches ſaith: *Legitur in Scripturis de conjuncta earũ auctoritate quando in Synodis congregantur.* *We read in their Scriptures of their joynt authority, when they are gathered together into Synods.* But there is a ſpeech of *Zuinglius* againſt repreſentative Churches, which he may not omit. *Zuingius* doth indeed juſtly aske of the antichriſtian prelats, who had given them

Ib. p. 124.

the name of a representative Church, & who had given them power to make Canons &c. yet hee addeth, *de his duntaxat &c. I speak of them only that are such, others who put themselves under not above the Scriptures, my writings shall nothing prejudge.*

Act. 8. explan.

Pag. 36. In the fourth place he objecteth, that whosoever shall deny their assertion, must hold two distinct formes of Church government to be lawfull, one where particular congregations do in & of themselves exercise all Gods ordinances; the other where they stand under another ecclesiasticall authority out of themselves. I answer it is most lawfull for particular congregations in and of themselves to exercise all Gods ordinances, according to the distinctions & rules above mentioned: but this is not repugnant to their standing, under the authority of presbyteries & Synods, for which let us againe heare a tender friend of congregations. *Major quidem potestas est Synodi quam unius alicujus Ecclesiæ primæ, & parochialis*; But goe we along.

Supra. cap. 2.

Parker ubi supra.

Pag. 129. His first argument is, that for this reason, among others the learned say the Pope is Antichrist, *viz.* because he will have men to appeale from their owne Churches unto him, and to stand unto his sentence and decree: and doe not the presbyteriall assemblies & Synods, take upon them an authority much like to it. Soft my master, Soft. Canno lesse serve you, then to match our Church governemēt with the papall usurpations 2. I shall beseech you to remember, 1. The Pope is one and receiveth appellations monarchinally: a Synod consisteth of many, & receiveth appellations aristocratically. 2. The Pope receiveth appellations from other nations beyond Sea: presbiteries and

Synods

Synods not ſo. 3. The Pope will have his ſentẽce received as infallible: presbyteries & ſynods acknowledge themſelves ſubject to error. 4. The Pope acknowledgeth neither the Elders, nor the Elderſhips of congregations: which Presbyteries & Synods do. 5. The Pope acknowledeth no power eccleſiaſticall on earth, except what is ſubject to him, yea derived from him: and who will ſay ſo of Presbyteries & Synods. 6. The Pope receiveth appellations in other cauſes then eccleſiaſticall: Presbyteries and Synods not ſo. 7. Synods are made up of the Commiſſioners of Churches: The Pope neither hath any cõmiſſion himſelfe from the Churches, nor will admit the Commiſſioners of Churches, to ſit in judgement with him. 8. Synods when they receive appellations, are tyed to certaine rules of proceeding and judging, eſpecially the Scripture. The Pope maketh his power boundleſſe, and exalteth himſelfe, above the very Scripture. There ſhall be no end, except I ſtop in time. And what need I to make ſo many differences betwixt light and darkneſſe.

A ſixth argument we ſhall now have, what more meet and reaſonable ſaith he, then that every mans caſe be there heard & determined, where the fault was cõmitted. If this rule hold thẽ the Parliamẽt or privy Councell, ought to go to every remote county & corner of the kingdome, to judge of ſuch faults there cõmitted, as are proper for thẽ to judg.

His 7. 8. 10. 11. arguments muſt be gone with ſilence, for they run upon the robbing of congregations of their right, the exerciſing of eccleſiaſticall government, in all the apoſtolique Churches, & our accoring with Papiſts & the Hierarchy. All which objections have been before repelled; & it is ſomewhat Pag. 37. 38

ſtrange

ſtrange, that the diſputer doth ſo often repeate the ſame arguments, to make up the greater number. A pretty art indeed: like that of the young logician who would needs prove, that the foure egs upon the table were five, becauſe two & three make five.

In this ſecond claſſe of arguments there is only one behind, and that is, that by the titles given to all particular congregations, *viz. a kingdome, a family, a body, a Queen &c.* it appeareth that all eccleſiaſticall auctority, ought to be in every one of thē diſtinctly, wholly, entirely. Where let the reader obſerve, that he maketh the meaning of that place *Mat. 3. 2. the kingdome of God is at hand*, to be this, *a particular congregation is at hand*; alſo that he expoundeth *Eph. 2. 19.* & *Pſ. 45.* of a particular congregation, which are meant of the holy Catholike Church. But ſay that every particular congregation is a kingdome, a family, a body, a Queene, how proveth he that theſe names doe agree to every congregation in reſpect of her externall policy, or eccleſiaſticall government. Nay ſay, they, doe agree in this reſpect, yet in a thouſand examples it is to be ſeen, that one and the ſame thing is both *totum* & *pars*, the whole, & the part, in different reſpects. Whereof we have alſo ſpoken in the former treatiſe.

He concludeth, that by this time he doth ſuppoſe the reader perceiveth, that the Scriptures are every way for them, and againſt the Presbyteriall government, you ſhall doe well Sir to thinke better upon it; you have it yet to prove: Therefore goe to your ſecond thoughts, and examine with me your not unexaminable examination. Farewell.

FINIS.